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"THE usefulness of 'The Olive Branch' is not wholly, nor even principally confined to one or two readings. As a book of reference, it is almost above value. Men who are engaged continually in the avocations by which they and their families subsist, cannot be expected to commit to memory even the most important parts of the many interesting documents which relate to our intercourse with foreign nations; nor do they often collect and preserve these documents to recur to when a difference of opinion arises. The Olive Branch is calculated to supply both these defects. Here the most important state papers, on the most disputed subjects, are thrown together and explained and illustrated with intelligence and candour. When any dispute occurs, one has only to take up this work, turn to the index, and open to whatever topic he desires to be informed of. The documents are authentic; and the party who is mistaken, will, if his mind is open to conviction, be convinced of his error, and, if he is an honest man, he will acknowledge and abandon it.

"When the first edition of this work appeared, notwithstanding some errors and omissions, I considered it the best political tract which had been published for many years. When the second edition issued from the press, I purchased that; and found it amended in some, and much improved in other particulars. The third edition, which was, I understand, printed in Boston, I did not see. But the fourth edition, which was extended to two volumes, which enlarged on several topics treated on in the former editions, and embraced several important subjects, not touched on in them, was so highly satisfactory to me, that I presented the copies I had, to some of my neighbours, who had not the ability to purchase for themselves, and procured this for myself. Its utility to me has been very great. It has reminded me of many things I had forgotten, and acquainted me with many others I was ignorant of. I think the same beneficial effects must be experienced by every man who reads it, with a desire to have his memory refreshed, and his mind enlightened. If our government is worth maintaining, and the intelligence of the people is one of its safe-guards, those who employ their time, and talents, in diffusing that intelligence, in the most correct, and acceptable manner, and form, are really entitled to the gratitude of every friend of the government." *Trenton True American, May 22, 1815.*

"The Olive Branch is a serious appeal to the two great parties which divide our country, on the necessity of mutual forgiveness and harmony. In pursuing his plan, the writer has, with great industry, collected and arranged his materials; and with no small share of talent, has illustrated his subject in the most striking manner, by arguments drawn from official and authentic documents of various kinds—from national and state archives—Whether as a repository of authentic facts and references,—as an historical sketch of the rise and progress of party spirit, from the consummation of our independence, to the present day;—as a memorial, which ought never to be forgotten, of the pernicious effects of that spirit, when carried beyond the bounds of reason and justice;—in short, whether we view the Olive Branch as a political appeal to the good sense of the nation, or as a record of historical events, with which every American ought to be acquainted—we consider it a work of the highest value, the circulation of which every friend of his country is bound to promote.

"It is not the republican alone, who will derive satisfaction from the perusal of this volume. The federalist will find in it, many egregious faults pointed out, which have been committed by the republican party, both in the national, and state governments; otherwise the work would not be consistent with its title, which is—THE OLIVE BRANCH; OR, FAULTS ON BOTH SIDES, FEDERAL AND DEMOCRATIC—A SERIOUS APPEAL ON THE NECESSITY OF MUTUAL FORGIVENESS, AND HARMONY.—And it must be confessed, that the best way to correct the faults of both sides, is to induce both, if possible, to open their eyes to their own faults, as well as to those of their opponents. This laudable work Mr. Carey has the credit of attempting. Whether the attempt is a visionary one, or not, time must determine. At all events, let every honest, independent man, of both parties, read the Olive Branch, if he would know the whole truth." *Albany Register, June 23, 1815.*

"In the warmth and violence of a political contest, it rarely happens that either party is entirely faultless. Imperfection, in a greater or less degree, is stamped on every thing human: and the individual, much more the party, who should claim an entire exemption from it, would betray the grossest ignorance. In times of turbulence, however, few are sufficiently elevated above the influence of party passion, to expose error, wherever found. The faults of a favourite party are too commonly passed over in silence, and those of the opposite, unreasonably magnified.

"The author of the Olive Branch has taken a stand beyond the reach of party influence. The groveling notions of the bar-room politician constitute no part of his political system. When, in his opinion, the republican administrations or the republican party have deserved censure, he has freely bestowed it. His work carries on its face the most convincing proof not merely of strength of genius, and depth of research, but the most stern political integrity." *Middlebury Gazette, May*, 1815.

"There is perhaps no book extant, that in so small a compass contains so great a quantity of momentous political truth. Like the two edged sword, said to have been wielded by the angel of light against "Satan and his angels," it dispels and puts to flight an army of error and falsehood."—*Weekly Register*, vol. vii. page 371.

"The Olive Branch, or Faults on both sides, federal and democratic, is no party publication: it contains a lucid examination of the faults of both parties, and calls loudly for union in defence of our territory and the dearest interests of all.—We have never seen a publication in this country that so justly merited the patronage of all. Federalists and Republicans will both see their faults clearly pointed out and commented on. We admire the independent spirit of the publication. Although we do not subscribe to all the tenets, objects, and recommendations contained in the Olive Branch, yet we think such a publication particularly valuable, as it comprises in a succinct view a well-arranged mass of public and political documents on the subjects which led to the war, particularly that of Impressment, the Orders in Council, correspondence of Mr. Erskine and Mr. Smith, previous to the war, and important correspondence between our public functionaries and those of the enemy since the war. Every man should possess this book, and read it carefully through without prejudice." *Boston Patriot.*

"Before I proceed further, however, I must do justice to a writer so obviously disinterested, independent, and patriotic, as the author of the 'Olive Branch,' by saying, that he has done ample justice to the character of Mr. Jefferson, in casting back upon his assailants the foul charges of 'French influence and enmity to trade:' this he does in a manner that must bring conviction home, to every bosom that possesses a single drop of the milk of human kindness; and let me add, that the justice thus done to that great and good man, will not be the less useful in coming forth in a volume, which *censures without fear, and praises without adulation.*" *Aurora.*

Extract of a letter from James Madison, Esq. President of the United States.

Washington, January 28, 1815.

"I have not been able as yet to do more than glance at the plan of the work, and run over a few of its pages. The course adopted of assembling authentic and striking facts, and addressing them impartially and independently, but with becoming emphasis, to the attention of the public, was best fitted to render it a valuable and seasonable service: and it appears that the success of your labour will well reward the laudable views with which it was undertaken."

Extract of a letter from Thomas Jefferson, Esq. ex-president of the United States.

Monticello, Feb. 9, 1815.

"I thank you for the copy of the Olive Branch you have been so kind as to send me. Many extracts from it which I had seen in the newspapers, had excited a wish to procure it. A cursory view over the work has confirmed the opinion excited by the extracts, that it will do great good."

THE

OLIVE BRANCH:

OR,

FAULTS ON BOTH SIDES,

FEDERAL AND DEMOCRATIC.

A SERIOUS APPEAL ON THE NECESSITY

OF

MUTUAL FORGIVENESS AND HARMONY.

BY M. CAREY.

SIXTH EDITION, ENLARGED.

"Faction is the madness of the many for the benefit of the few."

Frenzied be the head....palsied be the hand....that attempts to destroy the union." *Gen. Eaton.*

"Truths would you teach....or save a sinking land:
"All fear....none aid you....and few understand." *Pope.*

"*Every kingdom divided against itself, is brought to DESOLATION.*"
Matt. xii. 25.

"*In dissensions nulla salus conspicitur.*" Cæsar.

"If we pay a proper regard to truth, we shall find it necessary not only to condemn our friends upon some occasions, and commend our enemies, but also to commend and condemn the same persons, as different circumstances may require: for as it is not to be imagined, that those who are engaged in great affairs, should always be pursuing false or mistaken measures; so neither is it probable that their conduct can at all times be exempt from error." *Polybius.*

"Neither the law of Christianity nor of Reason requires us *to prostrate our national independence, freedom, property and honour at the feet of fraud, tyrannical oppressors.*" Address of Rev. Dr. David Osgood, May, 1798.

"Watch those ungrateful souls who murmur about taxation and oppression—the burdens of government and religion. *They have fellowship with our enemies.* They are traitors to God and Christianity." *Address by the Rev. Dr. Elijah Parish, July 4, 1799.*

"*As citizens, we ought with one heart to cleave to and support our own government. It is a government of our own forming, and administered by men of our own choice.*" Sermon by Rev. Jedidiah Morse, May 9, 1798.

PHILADELPHIA:

PUBLISHED BY THE AUTHOR.

September, 1815.

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Extract from Governor Strong's speech, 17th January, 1806.

☞ Changes in the constitution of government are more injurious than in the system of laws: ☞ *even a small innovation may destroy its principles.* The framers of the constitution had before them not only the forms which had been preferred by the several states; but those also, which, before that time, had been devised in other ages and nations. And though the repeated experiments which have since taken place in *Europe*, may suggest matter for warning, they afford nothing for imitation. If, notwithstanding, it is found by experience, that the constitution operates very unequally, or the construction of any part is doubtful, amendments may be necessary to alter or explain it. ☞ *But it is in vain to expect that all will be satisfied*—Free governments admit of an endless variety of modifications; and the opinions entertained of their respective merits are equally various. When the constitution was established, perhaps no man that became subject to it was perfectly pleased with every part. ☞ *It was the result of mutual concession:* and such, indeed, must always be the case, when a form of government is voluntarily accepted by a community.

"☞ *In the minds of some men, there seems to be a restlessness, which renders them dissatisfied with any uniform course of things, and* ☞ *makes them eager in the pursuit of novelty.* ☞ *They abound in projects, and* ☞ *are ever meditating some fanciful change in the plan of government, which their imaginations represent as useful.* ☞ *But men of great ambition are still more dangerous;* ☞ *they commonly make the fairest pretences to principles,* ☞ *though they are actuated only by self-interest.* ☞ *If the constitution or laws of their country present obstacles to the accomplishment of their wishes,* ☞ *they employ every artifice to alter or abolish them; and* ☞ *if individuals oppose their attempts, they are equally artful and solicitous to destroy their influence and render them odious to their fellow citizens.*

"☞ Few men, even in a prosperous community, are fully satisfied with their condition. ☞ A great part are easily induced to believe, that there is something wrong in the government or laws, which might be rectified to their advantage. ☞ They therefore readily embrace any specious proposal to effect an alteration. ☞ *The crafty and ambitious knew how to avail themselves of this disposition to change,* and ☞ *encourage their followers to expect that the amendments they propose will perfectly suit their case, and produce the very blessings they wish:* in this way they not only effect their immediate object, but acquire an influence which enables them afterwards to accomplish the most disastrous innovations. Such persons ☞ encourage hopes that can *never be realized,* and excite complaints which ☞ the most wise and benevolent administration is unable to remove.

"Our forms of government are doubtless like all other human institutions, imperfect; but ☞ they will insure the blessings of freedom to the citizens, and preserve their tranquillity, as long as they are virtuous; and ☞ no constitution that has been or can be formed will secure those blessings to a depraved and vicious people."

Extract from the answer of the Massachusetts Senate to the Governor's Speech of 17th January, 1806.

"☞ We shall look with a still more cautious eye upon every innovation attempted to be made upon our national constitution. The integrity, experience, and extensive information discovered by the illustrious characters who framed that valuable instrument and the series of public prosperity enjoyed under it, intitle it to our highest veneration; its excellence appears with still greater lustre, when compared with the ephemeral constitutions of many nations which have flitted across the eye in rapid succession, and then sunk into total oblivion. We are not insensible, that our form of government must be imperfect, as was the nature of its authors: but we recollect, at the same time, that ☞ *any proposed alteration under the name of amendment is liable to the same imperfection.*

"Believing therefore that ☞ *the principles of the constitution are as well adjusted as human infirmity will permit, and that* ☞ *a small innovation may essentially pervert its original tendency,* we shall exert ourselves to preserve it *in its present form,* except in cases where its operation shall be found extremely unequal and oppressive."

THIS BOOK,

(AS A MARK OF GRATITUDE FOR
INESTIMABLE BLESSINGS ENJOYED, IN
LIBERTY OF PERSON, LIBERTY OF PROPERTY, AND LIBERTY
OF OPINIONS,
TO A DEGREE NEVER EXCEEDED IN THE WORLD,)

IS RESPECTFULLY DEDICATED
TO A BELOVED BUT BLEEDING COUNTRY,
TORN IN PIECES
BY
FACTIOUS, DESPERATE, CONVULSIVE, AND RUINOUS
STRUGGLES FOR POWER.

IT IS LIKEWISE DEDICATED TO THOSE
MILLIONS OF HUMAN BEINGS,
WHO NEITHER HOLD NOR SEEK OFFICE,
BUT WHO ARE MADE THE INSTRUMENTS OF THOSE
WHO DO SEEK THEM:
AND WHO, WHILE A FOREIGN ENEMY PRESSES
AT THEIR DOORS,
ARE ENFEEBLED AND KEPT FROM UNION,
TO GRATIFY THE AMBITION OF
A FEW MEN,
(NOT ONE IN FIVE THOUSAND OF THE WHOLE COMMUNITY)
WHO HAVE BROUGHT
TO THE VERY VERGE OF DESTRUCTION,
THE FAIREST PROSPECT
THAT EVER SHONE ON ANY NATION.

BY THE AUTHOR.

Nov. 8, 1814.

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GO, OLIVE BRANCH,

INTO A COMMUNITY, WHICH, DRUGGED INTO

A DEATH-LIKE STUPOR,

WITH UNPARALLELED APATHY BEHOLDS

THE

PILLARS OF THE GOVERNMENT TEARING AWAY—

PROPERTY SINKING IN VALUE—

THE COUNTRY

PROSTRATE AT THE FEET OF A RUTHLESS FOE,

ANARCHY RAPIDLY APPROACHING,

A NUMBER OF AMBITIOUS LEADERS, REGARDLESS

OF THE

COMMON DANGER,

STRUGGLING TO SEIZE UPON THE GOVERNMENT,

AND

APPARENTLY DETERMINED THE COUNTRY SHALL GO TO

PERDITION,

UNLESS THEY CAN POSSESS THEMSELVES OF POWER;

AND, WITH THIS VIEW, OPPOSING AND DEFEATING

EVERY MEASURE,

CALCULATED TO INSURE OUR SALVATION.

APPEAL TO THE PATRIOTISM,

THE HONOUR, THE FEELING, THE SELF-INTEREST OF YOUR

READERS,

TO SAVE A NOBLE NATION FROM RUIN.

Philada. Jan. 4, 1815.

PREFACE

TO THE FIRST EDITION.

*Philadelphia, Nov. 8, 1814.**

I SUBMIT this work to my fellow-citizens with an uncommon degree of solicitude and anxiety. The subject it embraces, and the objects it has in view, are of inexpressible magnitude. The subject is the present critical situation of the United States, with the causes that have led to that situation; the objects, the restoration of harmony, and dissipation of party rage and rancour.

It cannot be any longer doubted that there exists a conspiracy in New England, among a few of the most wealthy and influential citizens, to effect a dissolution of the union at every hazard, and to form a separate confederacy. This has been asserted by some of our citizens for years, and strenuously denied by others, deceived by the mask the conspirators wore, and their hollow professions. But it requires more than Bœotian stupidity and dulness, to hesitate on the subject after the late extraordinary movements, which cannot possibly have any other object.

It is eighteen years since this dangerous project was promulgated†. From that period to the present, it has not been one hour out of view. And unholy and pernicious as was the end, the means employed were at least equally unholy and pernicious. Falsehood, deception, and calumny, in turn, have been called in to aid the design. The passions of the people have been kept in a constant state of the most extravagant excitement. Every act of the government has been placed in the most revolting point of view. To the administration have been unceasingly ascribed the most odious objects, pursued by the most detestable means.

About two-thirds of the papers published in New-England are opposed to the present administration. They are all ex-parte. I think it is doubtful whether a single number of the Centinel, Repertory, Boston Gazette, &c. has been published for years, free from attacks on the administration. And I am pretty well convinced, that attempts at vindication are

* The reader is requested, in reading the different Prefaces, to pay particular attention to their dates.

† In a series of essays, published under the signature of Pelham, in the Connecticut Courant, 1796. *See* page 264.

hardly ever allowed a place. The object steadily, and invariably, and industriously pursued, is to run down the incumbents in office at all events. To this every thing is made subservient.

On the injustice, the cruelty of this procedure, it is needless to descant. It is treating the highest public functionaries of the country, chosen by the unbiassed suffrages of a free people, worse than we should treat the veriest rascal in society. If he were accused of any crime whatever, his defence would be patiently heard before sentence would be pronounced. But our first magistrate, and other public officers, are accused, tried, and condemned, without a possibility of defence.

This is a great and deplorable evil—an evil so inveterate, as to render a remedy almost hopeless. It is hardly possible for any government to stand against such an unjust system. It is pregnant with the most awful consequences to society.

I am not to be told, that there are many papers devoted to the defence of the government as well as to run it down. This I well know; but this does not remove the difficulty. Such is the folly of the times, that the mass of our citizens confine themselves to those papers calculated to strengthen their prejudices. They rarely read defences, if any appear.

And thus it is not surprising that those prejudices become daily more and more inveterate—and that through the address and industry of artful men, they are prepared to overturn that constitution, to whose abuse and perversion they ascribe all those sufferings which have really flowed from the rapacity and injustice of the belligerents.

Besides the party in New England, who are determined on a separation of the states for their own aggrandizement—there is a party in the middle states equally dangerous. They are daily engaged in preparing the public mind for seizing the reins of government by violence, and expelling the public functionaries.

With these gentlemen, it is a favourite idea to send the president to Elba, and supply his place with one of their own friends, and thus save the people the necessity of another election. Mr. Barent Gardenier, of New York, and a few violent men in congress, are the most active of this party. All their talents and industry are devoted to this vile purpose.

This (blood and murder—lanterns and guillotines apart)—is as revolutionary, as disorganizing, as jacobinical a project as any of those of Danton, Legendre, Marat, Petion, or,

Robespierre, in the early stages of the French revolution. And, reader, "*lay not the flattering unction to your soul,*" that we shall in this event escape *bloodshed.* It is as impossible that such a flagitious project should be carried into operation, without torrents of blood being shed, as that you can tear away the foundations on which a mighty edifice rests, without the edifice itself crumbling to ruins, or that you can remove the dykes which oppose the progress of a vast body of water, and not have the adjacent country overflowed.

With Mr. Gardenier, it is a favourite phrase, that "*the present administration must come down.*" This is tolerably explicit. It is impossible to mistake the intention or the mode of effecting it. The latter is very simple. History furnishes numerous examples. It is the mode by which Cromwell expelled the Rump parliament, and seized the reins of government himself. It is the mode by which, after the Rubicon was passed, Julius Cæsar rose to power on the ruins of the commonwealth. And, to come to a later period, it is the mode whereby Bonaparte made himself master of the destinies of France.

But, Mr. Gardenier, we are not ripe for that project yet. Can you, or general Wharton, who has given the toast—"James Madison, on the island of Elba"—can you, I say, be mad enough to believe that the hardy yeomanry of New York, New Jersey, or Pennsylvania, will submit to allow any band of desperadoes with impunity to tear the highest public functionaries of the nation from their seats—men chosen in strict conformity with the terms of the social compact?

If you flatter yourself with any such pleasing delusions, awake, and shake off the mighty error. Rely upon it, that those who may make the sacrilegious attempt will with their deluded followers suffer condign punishment as traitors.

The United States have for a considerable time past exhibited a spectacle of the most extraordinary kind, and almost unique in the history of the world.

Our form of government has probably but one material defect. It wants a due degree of energy, particularly pending war. If it were free from this, it might last as long as the Roman government.

This defect must be a subject of deep and serious regret to all good men, not merely our cotemporaries or countrymen, but to those in future times and distant countries, who may feel an interest in the happiness of their fellow men. In perusing history, we lament the errors of our ancestors—ours will be a subject of lamentation to our posterity.

Taking into consideration this serious defect in the frame of our government, it is the duty of all good citizens to uphold and support it. But all considerations of duty apart, mere selfishness ought to prompt all men who have any interest in the welfare of the country, who have any thing to lose by convulsions, and tumults, and confusion, and anarchy, to cling to and uphold the government, whereby they are protected in the enjoyment of all the blessings of life.

But it is awful to relate, that a large proportion of the wealthiest men in the community have been as sedulously employed in tearing down the pillars of the government—in throwing every obstacle, and difficulty, and embarrassment in the way of its administrators, as if it were a government equally oppressive with that of Algiers or Turkey, or as if they could derive advantage from anarchy. Should they be cursed with final success in their endeavours, they and their posterity will mourn the consequences.

The national vessel is on rocks and quicksands, and in danger of shipwreck. There is, moreover, a larger and more formidable vessel preparing all possible means for her destruction. Yet, instead of efforts to extricate her, the crew are distracted by a dispute how she came into that situation. The grand and only object of a part of them is to get the helm into their own hands—and rather than not succeed, they are resolved she shall go to perdition. This party swears all the difficulty and danger are owing to the imbecility, the corruption, the madness and folly of the pilot, whom they threaten with "a halter," or to put him ashore "on the Island of Elba." The others swear with equal vehemence, that the refractory, turbulent, and factious spirit of the mutinous part of the crew has run the vessel aground. They are accordingly determined to defend the pilot. A few individuals, who see that both parties had contributed to produce this calamitous event, in vain hold out "*the Olive Branch*," and implore them to suspend all enquiries as to the cause of the danger till the ship is righted. It is in vain. While the parties are more and more inflamed against each other, the vessel bulges on a sharp rock—down she goes—pilot—and supporters—and mutineers—and peace makers—all in one common destruction.

This I am fearful will be our fate. It may be prevented. All that is necessary is for a few influential men in the different states to step forward—bury the hatchet—and lay aside all minor considerations while the vessel of state is in danger. This policy is so obviously just, that one hundred individuals

throughout the union setting the example, would have sufficient efficacy to accomplish the blessed object of saving their country.

Will the Clarksons, the Rays, the Ludlows, the Remsens, the Ogdens, the Pearsalls, the Lenoxes, the Harrisons, the Lawrences, the M'Cormicks, of New York—the Willings, the Francises, the Norrises, the Biddles, the Latimers, the Tilghmans, the Walns, the Ralstons, the Lewises, of Philadelphia—the Gilmors, the Olivers, the Sterets, the Howards, the Smiths, the Bryces, the Grahams, the Cookes, of Baltimore—and other such estimable federalists throughout the union, continue to regard with apathy the dangers of their country, and not make a bold and decisive stand to rescue her? No. It cannot be. Heaven has not, I hope, so far blotted us out of its favourable remembrance, as to abandon us to such a frightful destiny. It will at this late hour interpose for our salvation, and dispel the horrible mists of passion and prejudice—of madness and folly—which intercept from our view the abyss that yawns before us, ready to swallow us up in remediless destruction.

In England, the opposition to the ministry is always violent, and, like the opposition here, is too generally directed against *all the measures of government*, whether meritorious or otherwise. But there is in parliament a substantial *country party*, which occasionally votes with the minister, and occasionally with the opposition—supporting or opposing measures as conscience dictates.

It is a most unfortunate fact, that in congress the number of members of this description is *very small*. That body may be generally classed into federalists and democrats, who too frequently vote in solid columns. There are, I grant, laudable exceptions. But they are too rare.

This is one of the worst features in the situation of the country. The indiscriminate adherence to party, and uniform support of party arrangements, *encourage the leaders to proceed to extremities*, and to adopt violent and pernicious measures, which the good sense of their followers may reprobate, but from which they have not *fortitude enough to withhold their support*. This has been in all countries the most frightful of the consequences of the unholy and deleterious spirit of faction. Men, originally of the purest hearts and best intentions, are by this *ignis fatuus*, gradually corrupted, and led step by step to unite in acts at which, they would, at the commencement of their career, have *recoiled with horror and affright*. I believe it is a sound political

maxim, that *a thoroughgoing party-man never was a perfectly honest politician;* for there hardly ever yet was a party free from errors and crimes, more or less gross, in exact proportion to the folly or the wickedness of its leaders.

The Jews, when besieged by Titus, within the walls of their metropolis, availed themselves of the cessation of hostile attacks on the part of their external enemies, to glut their vengeance, and malice, and factious spirit, by butchering each other—and thus both parties fell an easy prey to the invaders. To this deplorable pitch of madness *we have not yet arrived.* But that we have hitherto escaped this calamity, is not for want of industry on the part of some persons who are unceasingly employed as incendiaries in blowing up the flames of discord, and preparing us for similar scenes. The cool, and calm, and temperate part of the community appear torpid and languid, and take no steps to avert the awful catastrophe. Let them awake from their slumbers soon; or at no distant day, the evil may be remediless, and they will in vain mourn over their folly.

I believe Mr. Madison perfectly upright; that his administration of the government has been conducted with as pure intentions, as ever actuated a first magistrate of any country; and that lord Chatham or the great Sully would have found it a very arduous task to manage the helm under the difficulties, external and internal, that he has had to contend with. But if it were a question that related wholly to Mr. Madison or his administration, I should never have trespassed on the public.—Were Mr. Madison as patriotic as Curtius, or the Decii, who grace the Roman story—and as immaculate as an archangel—nay, were all the heroes and statesmen of the revolution restored to life, and entrusted with the administration—I should consider their honour, their interests, their happiness, or their safety, as dust in the balance compared with the salvation of eight millions of people.

It is difficult to conceive an object more worthy of the efforts of an ardent mind. A review of history will convince any reasonable or candid person, that there never was, and indubitably there is not at present a more interesting portion of the human species, than the inhabitants of the United States. There never was a nation in which all the solid blessings and comforts of life were more fully enjoyed than they are here, and where they were secured by such slender sacrifices. I am not so blind an admirer of it, as not to see that it has defects. There never was a nation or individual free from them. But take all the leading points that

give assurance of happiness, and afford the necessary indications of respectability: and at no period can there be found a nation standing on more elevated ground.

The former points of difference between the federalists and democrats have lost nearly all their importance. They are merged in objects of incomparably higher moment. Evils of incalculable magnitude menace us. A powerful enemy, flushed with success, and with superabundant means of annoyance, hovers on our coasts, and, through his formidable navy, is enabled to inflict on us deep and lasting injury. And what is pregnant with more terror by far, instead of aiding to extricate us from this perilous situation, the opportunity of a season of difficulty and danger is seized on to dissolve the union, to raise up hostile and jarring confederacies, and to destroy the hopes mankind have formed of our noble governmental experiment.

To continue to dispute about the minor points that have divided the parties heretofore, would be madness. How superlative would be the folly and absurdity of two men, who were fighting about the interior decorations and arrangements of an edifice, regardless of the operations of two others, one of whom was undermining and preparing to blow it up in the air, and the other providing a torch to set it on fire? A strait jacket would be too slender a restraint for them. Such is the folly and madness of those democrats and federalists, who continue their warfare about the mode of administering the constitution, or the persons by whom it shall be administered, at a time when the constitution itself is in danger of being destroyed root and branch.

The plan of this work may require some short explanation. I believe the country to be in imminent danger of a convulsion, whereof the human mind cannot calculate the consequences. The nation is divided into two hostile parties, whose animosity towards each other is daily increased by inflammatory publications. Each charges the other with the guilt of having produced the present alarming state of affairs. In private life, when two individuals quarrel, and each believes the other wholly in the wrong, a reconciliation is hardly practicable. But when they can be convinced that the errors are mutual—as is almost universally the case—they open their ears to the voice of reason, and are willing to meet each other half way. A maxim sound in private affairs, is

rarely unsound in public life. While a violent federalist believes all the evils of the present state of things have arisen from the guilt of the administration, nothing less will satisfy him than hurling Mr. Madison from the seat of government, and sending him to Elba. While, on the other hand, a violent democrat persuades himself that all our evils have arisen from the difficulties and embarrassments constantly and steadily thrown in the way of the administration by the federalists, he is utterly averse to any compromise.—Each looks down upon the other with scorn and hatred, as the pharisee in the gospel, upon the publican. I have endeavoured to prove, and I believe I have fully proved, that each party has a heavy debt of error, and folly, and guilt, to answer for to their injured country, and to posterity—and, as I have stated in the body of this work, that mutual forgiveness is no more than an act of justice—and can lay no claim to the character of liberality on either side.

But even supposing for a moment—what probably hardly ever occurred, since the world was formed—that the error is all on one side, is it less insane for the other to increase the difficulty of extrication—to refuse its aid—to embarrass those who have the management of our affairs? My house is on fire. Instead of calling for aid—or providing fire-engines—or endeavouring to smother the flames—I institute an inquiry how it took fire—whether by accident or design—and if by design, who was the incendiary, and further undertake to punish him for his wickedness! a most wise and wonderful procedure—and just on a level with the wisdom, and patriotism, and public spirit of those sapient members of congress, who spend days in making long speeches upon the causes of the war, and the errors of its management, every idea whereof has been a hundred, perhaps a thousand, times repeated in the newspapers, instead of meeting the pressing and imperious necessity of the emergency.

I claim but one merit in this production, and that is by no means inconsiderable. It is, that with a perfect knowledge of the furious, remorseless, never-dying, and cut-throat hostility, with which Faction in all ages has persecuted those who have dared oppose her—and perfectly satisfied, that with us she is as implacable, as malignant, and as inexorable a monster as she has ever been, I have dared, nevertheless, to state the truth, regardless of the consequences. I was, it

is true, reluctant. I should have preferred by far, for the remainder of my life, steering clear of the quicksands of politics. None of the questions that have heretofore divided parties in this country could have induced me to venture upon the tempestuous ocean. But at a crisis like the present, neutrality would be guilt. The question now is between the friends of social order, and jacobins, who are endeavouring to destroy the whole fabric of government, with the slender chance of building it up again—between peace and harmony on one side, and civil war and anarchy on the other. A lamentable delusion prevails. The community shut their eyes against the truth on the subject. But this is the real state of the case, or I am as grossly deceived as ever was human being. And unless some of our influential men exert themselves to allay the storm, a few short months will exchange doubt into awful and dreadful certainty.

While I was deliberating about the sacrifice which such a publication as this requires, one serious and affecting consideration removed my doubts, and decided my conduct. Seeing thousands of the flower of our population—to whom the spring of life just opens with all its joys, and pleasures, and enchantments—prepared in the tented field to risk, or, if necessary, sacrifice their lives for their country's welfare; I thought it would be baseness in me, whose sun has long passed the meridian, and on whom the attractions of life have ceased to operate with their early fascinations, to have declined any risk that might arise from the effort to ward off the parricidal stroke aimed at a country to which I owe such heavy obligations. With this view of the subject I could not decide otherwise than I have done.

On the execution of the work it behoves me to offer a few remarks. I know it is very considerably imperfect. It is hardly possible to prepare any work under greater disadvantages than have attended the Olive Branch. A large portion of it is, therefore, crude, and indigested, and without order. Were it a treatise on morals, religion, history, or science, which could not suffer by the delay necessary to mature and methodize it, I should be unpardonable, and deserve the severest castigation of criticism, for presenting it to the public in this unfinished state. But the exigencies of the times are so pressing, that were it delayed till I could digest it properly, it might be wholly out of season.

It would be unjust were I not to acknowledge the numerous and weighty obligations I owe to "The Weekly Register,"

edited by H. Niles, the best periodical work ever published in America, from which I have drawn a large portion of the facts and documents which I have employed. I venture to assert that no American library can be complete without this work.

I have carefully studied to be correct in point of fact and argument. But the circumstances under which I have written, render it probable that I may have fallen into errors. I shall therefore regard it as a most particular favour, if any gentleman who discovers them, however minute, will frankly point them out, and they shall be most cheerfully corrected. If of sufficient importance, I shall make a public acknowledgement in the newspapers. If the cause I espouse cannot be supported by truth, candour and fair argument, may it perish, never to find another advocate!

PREFACE

TO THE SECOND EDITION.

Philadelphia, January 4, 1815.

THE unequivocal and decided approbation with which the former edition of this work has been favoured by respectable men of both the hostile parties that divide this country, I regard as among the most grateful circumstances of my life. Its numerous defects—its want of method—and the great imperfection of its style and manner—were, I presume, regarded as atoned for by its obvious and undeniable object—the object of contributing my feeble efforts towards allaying the effervescence, the turbulence, the animosity that pervade the community, and are pregnant with such alarming consequences.

Of the time that has elapsed since its first appearance, I have availed myself, to amplify—to methodise—and to improve it. And although I am very far indeed from presuming it to be perfect, yet I hope it will be found more entitled to patronage than it was in its original deshabille.

It embraces a very convulsed period of our history; and has been written under no common disadvantages. I have laboured under a great deficiency of various materials and documents, which no exertions have enabled me to procure—

nal it has been begun, carried on, and completed in moments constantly subject to those interruptions inevitable in the pressure of business. To suppose, then, it were perfect, would argue a degree of insanity which the fondest and most doting delirium of paternal vanity could hardly palliate. It would be a case unparalleled in the annals of literature. The world has had numerous instances of men of most splendid talents—of laborious research—with abundant materials and documents—enjoying full leisure to do justice to their subjects—and employing years for the purpose—yet falling into egregious errors. It could not then be expected that a work embracing such a variety of objects, and written under the circumstances I have stated, should be free from them. Hence the reader may rest assured that whatever they may be, they have not resulted from design. They are the offspring of slenderness of talents—deficiency of materials—inadvertence—or that bias to which all men are subject in a greater or less degree, when treating on subjects wherein they feel deeply interested: of the latter, however, I have laboured to divest myself.

Had I written with any view to literary reputation, the work would have made a totally different appearance. Instead of presenting the reader with so many documents verbatim, I should, as is usual, have given abstracts of them in my own words—and thus formed a regular connected narrative of events, far more agreeable to read than the work in its present form, and rather easier to write; for the reader may rest assured, that I have written three pages in less time than I employed in the search for a single document, which does not occupy one, and wherein I knew enough to give an analysis of it; and long, laborious searches for a document or newspaper paragraph or essay have not unfrequently been wholly in vain.

But though a thirst for literary reputation is far from blameable—and though it inspires to great exertions, and has been the honoured parent of some of the most stupendous efforts of the human mind—it has not had the slightest influence on me in this case. It would be utterly unavailing to counteract the loathing, the abhorrence I felt for entering into political discussion, or for making myself once more an object of newspaper calumny, of which few men in private life have been honoured with a greater share.

No. I appeal to heaven for the truth of what I now declare. I aspired to higher objects, far beyond such narrow views. I believed—I still believe—that a dissolution of the union is

contemplated by a few ambitious and wicked men; that in the state of excitement to which the public mind is raised, and which is hourly increasing by the most profligate disregard of truth and of the welfare of the country,—and by the utmost prostitution of talents, a mere trifle would suffice to produce a convulsion—(as, when you have collected together a quantity of highly combustible materials, a single spark suffices to produce a conflagration)—that a dissolution of the union will infallibly produce a civil war; that in the event of a civil war, there will be a struggle throughout the country for the ascendency, wherein will be perpetrated atrocities similar to those which disgraced the French revolution; that even if we should be fortunate as to escape a civil war, or, (if we should not) after its termination, and the establishment of separate confederacies, the country will be cursed with a constant border war, fomented by the nations of Europe, to whom we shall be a sport and a prey; and that, in one word, a nation most highly favoured by heaven, is on the very verge of perdition.

These views may be erroneous. They differ from those of most of my friends. The mass of the community do not accord with them. But they are unalterably impressed upon my mind. I cannot shake them off. They are all supported by the instructive but neglected voice of history. I possess not the happy faculty with which so many are endowed. I cannot believe an event will not take place, because I hope and pray it may not. I am disposed to envy those who are thus gifted. It diminishes the hours of suffering. In a life so chequered as ours, this is some advantage. But it has, like all other blessings, a counterpoising evil. When we disbelieve in the approach of danger, we make no preparations to repel it.

With these impressions, I preferred risking any consequences, however pernicious to myself, that might arise from the present address, to a state of torpor and inactivity—to perishing without an effort. In a sanguine moment, I indulged the flattering, the fond, (pray heaven it may not be, the delusive) hope that my efforts might be so far crowned with success, as to make me the blessed, the happy instrument of arousing even two, or three influential active citizens from the morbid, the lethargic slumber, into which the community has been so fatally lulled; that these might arouse others; and that thus the potent spells might be dissolved, which, in a manner unexampled in the history of the world, make us regard with stupid, torpid apathy and indifference, the actual bankruptcy of our government (produced by a most

daring conspiracy)—the impending destruction of our glorious constitution, the work of Washington, Franklin, Livingston, Hamilton, Jay, &c. the depreciation of every species of property—and the approaching ruin of our country. Should heaven thus bless me, die afterwards when I may, I shall not have lived in vain. Should I fail, on my tombstone shall be graven, "magnis excidit ausis."

I offer these great and solemn truths to the consideration of all who have an interest in the welfare of their country.

I. *A separation of the states cannot be effected without an immediate* CIVIL, *and an almost continual* BORDER WAR; *and it must inevitably place us at the mercy of England, and make this country the sport of the European powers at all future times.*

II. As well might we expect to re-unite, without flaw, the fragments of an elegant porcelain vase, shattered to pieces, as to restore the union, if dissolved but for one hour.

III. A period of war, and invasion, and danger, is utterly unfit for repairing or amending a constitution. Nothing but convulsion can arise out of the attempt.

IV. General Washington, in his legacy, one of the noblest efforts of human wisdom, impressively urged his countrymen to frown indignantly upon any attempt to impair or dissolve the union.

V. To hostile European powers a dissolution would be of immense and incalculable advantage.

VI. It would be inexpressible folly and madness to reject the policy dictated by Washington, and follow that which would be dictated by those powers of Europe who regard our prosperity with jealousy.

PLAN OF AN UNION SOCIETY.

"Above all things hold dear your national union. Accustom yourselves to estimate its infinite value to your individual and national happiness. Look on it as the palladium of your tranquillity at home; of your peace abroad; of your safety; of your prosperity; and even of that liberty which you so highly prize."

WASHINGTON'S FAREWELL ADDRESS.

WHEREAS many disaffected citizens have long laboured to prepare the public mind for a dissolution of the union, and the formation of separate confederacies; and whereas they have at

length publicly and daringly avowed their flagitious designs; and whereas the experience of all history to the present time affords the most complete proof that such dissolutions of existing forms of government, and the formation of new ones, have almost invariably produced bloody civil wars, the greatest curse that ever afflicted mankind; and whereas the present form of the general government, if duly supported by our citizens, is calculated to produce as high a degree of happiness as has ever fallen to the lot of any nation; and whereas the separate confederacies, contemplated as substitutes for the present general confederacy, even if it were possible to establish them peaceably, would be pregnant with interminable future wars, such as have almost constantly prevailed between neighbouring states, with rival interests, real or supposed, and would hold out every possible inducement, and every desirable facility to foreign nations, to array each against the other, and thus subjugate the whole, or at least render them dependent upon, or subservient to these foreign nations; and whereas, finally, it would be absolute madness to throw away the incalculable blessings we enjoy, for the mere chance of bettering our condition, and still more for the absolute certainty of rendering it much worse:

Therefore *resolved*, that we the subscribers do associate under the title of the WASHINGTON UNION SOCIETY, of which the following is the

CONSTITUTION.

I. We solemnly pledge ourselves to support by every honourable and legal means in our power the existing form of the general government.

II. That we will use our utmost endeavours to counteract as far as in our power, all plots for the dissolution of the union.

III. That we will correspond and cheerfully co-operate with all individuals, and bodies of men, in all parts of the union, who have the same views with us on the object embraced in the second article, however they may differ from us on other political topics.

IV. That the officers of the society shall be a president, vice-president, secretary, treasurer, committee of correspondence, and committee of elections.

V. That it shall be the duty of the committee of correspondence, to invite the good citizens of this state, and of the other states, to form similar societies and to correspond with them; to investigate and expose to public abhorrence, the various plans that have been adopted from time to time, to effect the parricidal purpose of dissolving the union; to place in the strongest point of light the advantages of our blessed form of government, with the tremendous consequences of civil war, and (the inevitable result of a separation) our being instruments in the hands of the great powers of Europe, to annoy, ravage, depopulate, slaughter, and destroy each other.

PREFACE

TO THE FOURTH EDITION.*

Philadelphia, April 10, 1815.

I commence this Preface, with feelings very different indeed from those by which I was actuated, when I penned the former ones. Prospects, public and private, have wonderfully improved. A revolution, immense, striking, glorious, and delightful, has taken place in the affairs of our blessed country, for which we cannot be sufficiently grateful to heaven. We have not—I say emphatically—we have not merited the change. I could assign various satisfactory reasons in proof of this opinion, extraordinary as it may seem. I wave them. It is unnecessary to enter into the recapitulation. But whatever may have been our past merits or demerits, I hope our prosperity is now fixed on a basis as firm as the rock of Gibraltar.

In the present tranquillized state of the public mind, when the fears and solicitudes excited by the late alarming state of affairs have subsided, it will be difficult for the reader to justify, or even to account for the warmth which many parts of this work display. It is therefore but justice to myself, to give a rapid sketch of the scenes through which we have passed, in order to account for the excitement of my mind, so obvious to every reader in the perusal of some of my chapters.

The government had been nearly reduced to bankruptcy. It had been unable to raise money to discharge the most imperious engagements. There was no general circulating medium in the country. The banks, from New-York to New-Orleans, inclusively, had, with perhaps one or two exceptions, stopped the payment of specie. The bank notes of Philadelphia and New-York were depreciated in Boston from 15 to 25 per cent. below par. And every feature in our political affairs wore the same awful aspect. Whether the causes I have assigned in chapter LII. really produced this state of things or not, is immaterial. Be the cause what it may, the fact existed. Want of money had partially suspended the recruiting service. And the pacification of Europe had quadrupled the disposable force of our enemy, and in the same degree increased our danger, and the necessity for energy and vigilance.

* The third edition, of 1250 copies, was printed in Boston.

Under these circumstances, congress was convened on the 19th of September, nearly two months earlier than the period fixed by law, in order to make provision for such an extraordinary emergency. The state of the nation was fully detailed to them in various executive communications, which called, imperiously called for energy and decision.

Rarely has a legislative body had more important duties to fulfil, or a more glorious opportunity of signalizing itself, and laying claim to the public gratitude. Rarely have stronger motives existed to arouse every spark of public spirit or patriotism that had lain dormant in the heart. And I venture to assert, there hardly ever was a legislature that more completely disappointed public expectation—that more egregiously failed of its duty.

The imbecility, the folly, the vacillation, the want of system, of energy, and of decision, displayed by the majority—and the unyielding, the stubborn, the violent opposition of the minority to all the measures for which the occasion so loudly called—have affixed an indelible stain on the memory of the thirteenth congress. They will be long remembered with emotions neither of gratitude nor respect. No where, I am persuaded, in the annals of legislation, is there to be found an instance of precious time more astonishingly misspent. They had been in session nearly five months when the news of peace arrived—and had but three weeks to sit. The spring, the season of hostility and depredation, was rapidly approaching. And what had they done to serve or save their country? What provision had they made of men or money? Little or none. Nearly all the measures adapted for the emergency that had been brought forward in congress, had been defeated.*

That this state of public affairs was calculated to excite warmth of feeling, and to call forth a strong expression of that warmth, must be obvious—and will not merely account for, but justify the high wrought passages to be found in the work, which, under other circumstances, might perhaps be indefensible.

It will be asked, what good purpose can the re-publication of this work answer at present? Is it not, it will be said, far

* I have [illegible] elsewhere, that England presents much to admire and copy. In this point, she is transcendently superior to us. Had parliament been called in such a crisis as existed last September in this country, all the effective preparations necessary to [illegible] would have been made in one week. Some of the declamatory speeches of two or three days long, occupied as much time as parliament would have required to raise fifty millions of money, and to provide means for embodying an army of 60,000 men.

better to bury the hatchet, and to consign these things to oblivion, than to keep alive animosity and discord!

Were the tendency of the Olive Branch to keep alive discord, I should unhesitatingly consign it to the flames. But I utterly disbelieve this will or can be the consequence. I cannot admit that a fair detail of the mutual follies of the two parties, has a tendency to perpetuate hostility between them. It is contrary to reason, common sense, and the universal experience of mankind.

Peace, or harmony, or conciliation, is not to be hoped for, while both parties sleeve themselves in the deceptious mantle of self-righteousness—while they not only believe themselves immaculate, but their opponents "monsters unredeemed by any virtue."* Nothing but a serious, solemn, and deep-rooted conviction on both sides, of egregious misconduct, can lead to that temper of mind which is necessary to produce a mild, conciliating spirit. While both parties act the part of the self-approving pharisee, we might with equal chance of success attempt to unite fire and water—light and darkness—virtue and vice, as to reconcile them. But when both regard themselves in their true light, as offenders against their duties to their country, they will be disposed to forgive that they may be forgiven. This idea, which is the basis whereon this work rests, has been more than once stated, and cannot be too often repeated, and inculcated on the public mind.

I fondly hope this work will have other uses—that it may serve as a beacon to other times than ours. When a navigator discovers new shoals, and rocks, and quicksands, he marks them on his chart, to admonish future navigators to be on their guard, and to shun the destruction to which ignorance might lead.

This strongly applies to our case. By an extraordinary mixture of folly and wickedness, we had run the vessel of state on rocks, and quicksands, and breakers, where she was in imminent danger of perishing. We had brought to the verge of perdition the noblest form of government, and the most free and happy people, that the sun ever beheld. But, thanks to heaven—not to our virtue,† our public spirit, or

* Monstra nulla virtute redempta.

† The illustrious heroes of the western country—our gallant navy—several of our generals and armies on the lines—the citizens of Baltimore, of Stonington, the garrison at Craney island—and the people of some other places—are obviously exempt from this censure. And never was there greater energy displayed than in New-York, in making preparations for the warm reception of an enemy. But when we consider the violence of the eastern states against the rulers chosen by the people, the torpor and indifference of the mighty state of Pennsylvania, and other portions of the union, we must heave a sigh, and draw a veil over past scenes.

our liberality—we have escaped. We have arrived safe in port. I have endeavoured to delineate a chart of the most formidable of the rocks on which our vessel was striking, to serve as a guide to future state pilots. I trust the chart cannot be examined attentively without benefit. It establishes an important, but most awful political maxim, that during the prevalence of the destructive, and devouring, and execrable spirit of faction, men, otherwise good and respectable, will too frequently sacrifice, without scruple or remorse, the most vital interests of their country, under the dictates and to promote the views, of violent and ambitious men! What a terrific subject of contemplation!

The publication of this book has decided one point of considerable importance to the truth of history, and to the happiness of mankind. This point is, that it is not quite so dangerous as has been supposed, for a writer to draw a portrait of his cotemporaries—provided the features be faithfully and impartially delineated. It has been too generally presumed that it is utterly unsafe to write of our own times with truth. With this idea I was impressed when I engaged in the work. And it required no common stimulus to inspire me with the hardihood the undertaking required.

But the event has falsified the anticipation. Without any of the advantages that office, or rank, or connexions afford, I have dared publicly to call faction, and jacobinism, and disorganization—as well as factious men, and jacobins, and disorganizers—by their proper names, without distinction of party. And the reliance I placed upon the good sense of the public has not been disappointed. My efforts have been received by a large proportion of the good and great men of the nation with a favour and kindness, which fill my heart with the most exquisite pleasure—and amply repay my trouble and my risk—the sacrifice of my business and of my enjoyments, during the progress of the work—and hold out encouragement to political writers to shun that slavish and dishonourable devotion to one party, whereby truth is sacrificed, and history made a mere tissue of fables. If no other effect had been produced by this book, I should not have written in vain.

The advantages of cotemporaneous writing are numerous and weighty. When the passing events are recorded and commented on, while they are as it were spread before our eyes, it only requires honesty of intention to make the portrait a tolerable likeness. But when we treat on occurrences of "years that are past and gone," it is like tracing

the features of a deceased friend from memory. The great and leading outlines may be correct—but in filling up the drawing, many of the most important characteristics must escape.

It may not be improper to warn the reader, that I am attached to, and in general approve of the political views and most part (not the whole by any means) of the conduct of that party which was stigmatized as anti-federalists, before the adoption of the federal constitution, and is now entitled democratic or republican. We were called anti-federalists, because we were eager to have the constitution amended previous to its ratification, doubting the practicability of amendment afterwards. We were wild and extravagant enough to see despotism in many of its features, and were so fatuitous and blind as not to have the slightest idea of danger from the state governments. We have lived to see our miserable infatuation, and to deprecate and deplore its consequences.

My reason for this explicit avowal is, to induce the reader to receive my opinions and inferences with that caution which is necessary, from the probability of my being under the influence of that bias, which, more or less, every man feels towards the party to which he is attached; and which, notwithstanding I have sedulously endeavoured to guard against its influence, may have occasionally led me astray. To no human being has heaven designed to impart infallibility: and it would be almost a miracle, if, in such a wide scope as I have taken, I were not sometimes warped by passion or prejudice.

But to this it is proper to add, that I believe no man ever wrote a book of this extent, and embracing such a variety of subjects, who made lighter demands on the complaisance or credulity of his readers than I have done. For as the subjects I have treated of are of incalculable moment—as the happiness or misery of unborn millions, as well of this generation, depends on the course we steer—as that course will be materially affected by the correctness or errors of the views we may take of our past system of conduct—and as I have dared to cite before the bar of the public, men of high standing—great talents—great wealth—and powerful influence—I have judged it proper to support, as far as in my power, and to a degree hardly ever exceeded, all my important facts, by documents of undeniable authority. Many of my readers will probably believe that I have gone unnecessary lengths in this respect. But I trust I have not. It is at all events far better to produce too much evidence than too little.

Were every line of my own writing in this work annihilated, the documents, which are its bones, and sinews, and muscles, would be amply adequate to establish the positions I meant to prove.

The strong style I have used in treating of the conduct of the eastern federalists, I'll be censured. But it may be defended on impregnable ground. In all their lucubrations on the motives of the war—the proceedings of the administration—and the conduct of their opponents—they uniformly employ the most unqualified terms of reprobation and condemnation. To sheer, downright wickedness, all the errors and misfortunes that have occurred, are ascribed. There is not the slightest shade of allowance made for human imperfection. A deep, wicked, and desperate conspiracy to destroy commerce is assumed as the leading motive of government. And all its measures are ascribed to, and accounted for by, this absurd, this unfounded, this often refuted allegation.

Those who shew no mercy, have no right to complain, if they are themselves treated with strict and unrelenting justice. "With what measure ye mete, it shall be measured to you again."

I have in the appendix, considerably extended the subjects of this work.

The pacific policy which our local situation affords us reason to hope we may safely pursue, and which our interest dictates, has induced me to review the restrictive system, and to point out its decisive effects on the prosperity of England. It is a most potent weapon—and, had not factious deprived it of its efficacy, would have insured us complete justice, and averted the horrors of warfare. To the defect of this mild, but powerful instrument, we may justly charge all the carnage and the expense of the war.

An efficient and safe mode of defence, whereby foreign aggression may be prevented, and internal tranquillity preserved, is the greatest desideratum in our political system. It is the key-stone of the arch of our freedom and happiness. I have therefore gone most copiously into the consideration of the subject.—The authority I have produced is irrecusable. Neither Pringle, nor Cullen, nor Sydenham, on medicine—nor Black, nor Lavoisier, nor Chaptal, on chemistry—nor Luther, nor Calvin, nor Wesley, among their respective followers, on religion—are superior authority to general Washington on militia service. I have therefore availed myself of his testimony, to an extent which nothing but the immense magnitude of the subject could justify.

I have, likewise, in the appendix annexed a small pamphlet, which I published last November, entitled, "A calm address to the people of the eastern states," wherein I have given a full view of the very erroneous opinions entertained respecting the slave representation; and I think fully proved, that notwithstanding the increasing outcry and clamour on the subject in the eastern states from the time of the organization of the government, those states have had more than their share of influence in the legislature of the union, without having any regard to the slave population. In the course of this investigation I have made two curious discoveries—one, that New-York and Delaware have each a slave representative—and the other, that Massachusetts, although she has no slaves, has a representative of her black population.

Before I dismiss the work from my hands, feeling the solicitude of a parent for his offspring, I cannot refrain from once more requesting the reader, when he discovers any errors of style or matter—any deficiency or redundancy—or, in a word, any thing to censure, that he will bear in mind the disadvantages under which I have written—in hours stolen from sleep, and during the pressure of a business which in no common degree requires all the energies of body and mind; that I have in my various editions, and in the public papers, solicited the suggestion of errors, which, if pointed out, I promised to correct;—and that I have also in the papers, and privately, in vain solicited communications from those who could and ought to have afforded them.

On subjects that have employed so many thousand pens and tongues, much novelty cannot be expected. It is possible that there is not a new idea in the whole work. All that Dr. Franklin or Patrick Henry could claim in the investigation of topics so long hacknied as those I have discussed, is the arrangement.

I fondly flatter myself that in this work will be found materials for a complete defence of the American nation in its intercourse with England. I am grossly deceived if the mild, forbearing, pacific system pursued by this country for so many years, amidst such grievous provocations, will not universally receive, as it deserves, the praise—and the oppressive, outrageous, and injurious conduct of England to us, the censure—of all Christendom.

It would be gross injustice to me to suppose, that I wish to perpetuate the hatred between the two nations. It is the farthest from my intention. It is the interest of the United

States, and will be their policy, if treated with common decency or justice, to cultivate peace with all the world. And I am much deceived, if a plain and candid exposure of the vexatious, harassing, insulting, and outrageous policy pursued by the successive ministers of England, from the year 1793, will not be the best means of preventing a recurrence of such impolitic and unjust conduct. They have deeply injured us. But the injury they inflicted on the vital interests of their own nation, has far exceeded what we have suffered.

PREFACE

TO THE SIXTH EDITION.*

Philadelphia, Sept. 6, 1815.

ONCE more, and probably for the last time, I offer the "Olive Branch," to my fellow citizens; improved and enlarged as far as in my power. I feel grateful for the kindness and indulgence extended to its imperfections.

Of the origin and progress of a work, which has succeeded so far beyond all human expectation, I may, perhaps, be permitted, without incurring the charge of vanity, to give a brief account. Should the detail be really chargeable to vanity, (no man can judge correctly of himself) I hope it will be regarded as a venial failing.

EARLY in September, 1814, I was under as a great a depression of mind, about the state of affairs, public and private, as I have ever experienced. A deep and awful gloom pervaded the thinking part of the community! Thick clouds and darkness covered the horizon! The keenest eye could not behold, and could hardly anticipate a single spark of sunshine! Washington had been taken—and its public buildings destroyed with Gothic barbarity! Alexandria had been pillaged and plundered! Hampton had suffered rape and rapine! Baltimore was menaced with signal vengeance, and pointed out for military execution, ☞ *in papers published by citizens of the United States!!* Philadelphia and New York were held in a state of the most alarming suspense, and in daily expectation of a hostile visit—and, of perhaps sharing the fate of Washington and Alexandria!

* The Middlebury Edition, of 1920 copies, is the Fifth.

At this awful moment, the horrible, the disorganizing, the jacobinical idea, was not unfrequently advanced in our coffee-house, and in our streets, that the war having been begun by the democrats, they must carry it on; that they had no right to call on the federalists for assistance, which the latter ought not to afford; that if the democrats compromitted the honour and the interests of their country, by a dishonourable peace, the federalists should take the power out of their hands, and then contend for the violated honour and dignity of the country; that the British could not, nor, consistently with a regard to their honour, ought they to treat with Mr. Madison, who should be compelled to resign; with a vast variety of the same patriotic doctrines, which were publicly promulgated in some of our newspapers. At the same time, a few desperate men were preparing to add to the general distress and difficulty by a dissolution of the union.*

I was appalled at this horrible violence of some of the leaders of the federalists; and equally so at the imbecility and inactivity of the democrats. As the government, chosen by the free voice of a large majority of the nation, did not exercise the energy and decision, that was requisite to control and coerce the refractory minority, it appeared far better to make a change, than let the country become a prey to a foreign enemy—or be torn in pieces, by intestine discord, which seemed the only alternative. A frightful and sorrowful alternative it was! But the violence of party and faction seemed to force it on the country.

With a mind, harrowed up with all these terrific considerations, I sat down to write, on the 6th of September. On a careful examination, of "the whole ground," the least of the mighty evils before the nation appeared to be, to submit to swallow the bitter pill presented, and make a radical change in the administration—so as to hold out inducements to the federalists, to unite their exertions to rescue the country from impending ruin. This radical change, I thought, ought to be introduced by resignation on the part of the incumbents.

* It may serve to display the high fever of the public mind, to annex a resolution offered in the house of representatives of Massachusetts, about four weeks after this time, viz. Oct. 5, 1814, by Mr. Law, of Lyman, which was, however, withdrawn next day, as premature at that time.

"Resolved, that a Committee be appointed to confer with all the New England States, and see if they will agree to appoint a Committee to join them, and repair to the city of Washington immediately, then and there personally to make known to the President, the general opinion of all the New England States in regard to the present war, and the manner in which it has been conducted; and inform him that he *must either resign his office, as President, or remove those ministers and their officers, who have by their nefarious plans ruined the nation!*"

This confession will excite different emotions in my readers. Some of them will smile at my arrogance, in daring to suggest such a plan. Others will abuse my imbecility for the proposal to give an inch of ground. "*They jest at wounds, who never felt a scar.*" And no man who cannot most distinctly and clearly place before his eyes, the gloomy and frightful prospect, then before us, is capable of forming a correct opinion of the state of my mind. But I feel the most perfect indifference, as to the judgment that may be formed on the subject. I merely state the fact, neither caring for, nor expecting praise, and equally remote from the deprecation of censure.

That evening, I wrote twelve or fourteen pages, containing a brief review of our past proceedings—reflections on our actual situation—with hints for the proposed new arrangements.

Desponding as I was, I felt dissatisfied with what I had committed to paper. I laid it aside—and did not resume it for ten or twelve days. In the interim, the glorious news arrived, of the complete defeat of the enemy at Baltimore—of the immortal M'Donough's victory on lake Champlain—of the discomfiture and flight of Gen. Prevost's Wellingtonians, at, and from Plattsburgh. These wonderful successes made a total change in the face of affairs. By this time my spirits revived. I rejected my embryo work, and flattered myself into the opinion, that a candid appeal to men of integrity of both parties, might produce a beneficial effect; that a few might be excited, and excite others; that at all events, it was worth the trial; that in such a noble undertaking, as an attempt to rescue the country, from what I regarded as impending anarchy, even a failure would be honourable—and success would be glorious and eminently beneficial.

I therefore destroyed what I had written, and began the work anew, on its present plan. I had a large stock of public documents—I borrowed some—and with these, and the Weekly Register, amidst all the hurry and bustle of business, in the leisure hours of six weeks, I patched up the first rude and indigested edition. It was published on the ninth of November.

I ought to have observed, that when it was about two-thirds printed, I was struck with astonishment at my Quixotism and folly, in expecting to make an impression on a community, torn in pieces by faction; a prey to the most violent passions; and labouring under the most awful degree of delusion. My heart sunk within me at my presumption:

and, the reader may rest assured, I was on the point of converting the sheets into waste paper. This ague fit went off in a day or two; and I determined to give the work a fair experiment.

The edition was small—only 500 copies. Two motives dictated this limited scale. I knew the work must necessarily be very imperfect, from the disadvantages under which I laboured; and I determined, if it met with success, to have an opportunity to improve and extend it: moreover, from the almost universal failure of political publications, I was far indeed from a sanguine of success.

My expectations of sale lay principally at Washington. I sent one hundred copies there, as a sort of breakfast, calculating upon a speedy sale of them, and an order for more. There were above two hundred legislators there, and twice as many visitors; and I supposed that whatever might be the demerits of the execution of the work, the importance of the topics discussed in it, would insure a sale of a large part of the edition; more particularly, as I had already received highly flattering compliments, from the late vice-president, and other gentlemen, to whom I had sent copies by mail.

The result disappointed these calculations; and, had I been actuated by the vanity of authorship, would have sufficiently mortified it; for when I had, in Philadelphia, New York, and Baltimore, disposed of the remaining four hundred, and wrote down to Mr. Weightman, at Washington, to enquire into the success of the work, I learned that four of the hundred had been stolen on the road—that fifty-nine remained unsold—and that *thirty-seven copies had fully satisfied the curiosity of a president, three secretaries, thirty-six senators, one hundred and eighty-two representatives, one or two hundred clerks, the whole of the population of the metropolis of the United States, and all its numerous visitors.* It is probable, that in such circumstances, so great a degree of apathy and indifference, on topics of such magnitude, never before existed. I ordered back the remaining fifty-nine.

A new edition was, however, called for, notwithstanding the discouraging coldness and indifference of the members of the government. I used all possible expedition, and published on the 11th of January, one thousand copies.

The success of this edition exceeded that of the first. In five weeks there were not twenty copies unsold. And a day or two previous to the blessed, thrice-blessed news of peace, foreseeing the demand would require another edition, I contracted with a printer, to print me a third. When the

joyful tidings came, I thought the public would no longer feel any interest in it, and for a time abandoned the idea of republication. But I was mistaken; the demand increased: I printed a new edition, which was published on the 13th of April, and was sold out in about three months, except a few copies in Georgetown, and elsewhere.

As the eastern states were the scene, where such a work was most necessary, I was very desirous of giving it a circulation there. I saw that to afford it a fair chance, it ought to be printed in Boston; for otherwise only a few hundred copies at most, of my editions, would ever reach that quarter, and no person there being interested in the disposal of them, the effects of the book would be greatly circumscribed. I therefore offered the editors of the Chronicle, the Patriot, the Yankee, my friend Mr. Caleb Bingham, and Mr. A. Dunlap, the gratuitous privilege of printing an edition, jointly; merely on condition, of presenting ten per cent of the copies to persons unable to purchase. The two first, and Mr. B. declined; they probably doubted the success of the enterprise. The editors of the Yankee, and Mr. Dunlap, jointly printed an edition, which, although it did not appear till after the peace, has been some time wholly sold off.

An edition, the fifth, consisting of 1920 copies, is publishing at Middlebury, Vermont; and another is about to be put to press at Cincinnati, in the state of Ohio.

No political work, to my knowledge, has ever had an equal degree of success in America, except the "Common Sense." Four editions were sold in eight months; two more are at this moment in the press; and a seventh, as I said, is about to be printed. Nevertheless, it is not quite twelve months since the work was begun, and not ten since the first edition was published. It may, however, be fairly asserted, that there never was a greater disproportion between praise and patronage, than this work has experienced. I have received quires of encomiums on it; many of them most enthusiastic and high wrought; and yet I do not believe that ten men, perhaps I might say six, have made any exertions to promote its success.*

* There are persons worth 30, 40, and 50,000 dollars, who have expressed the most extravagant approbation of the work, and yet never distributed a copy, nor ever owned one. Borrowed copies have fully gratified their curiosity. Let me bestow a tribute of gratitude to a different order of beings. Their scarcity enhances their merits. A gentleman in New-York, purchased one hundred copies of the second edition for distribution. Mr. Wilson, of Trenton, engaged one hundred and fifty, and another Bookseller purchased fifty dollars worth. I know of no other persons that made any effort whatever to extend its circulation.

The variety of assurances, I have received from such a variety of respectable quarters, of its beneficial tendency, preclude all doubt in my mind on the subject. Among others, a judge of the Supreme court of Pennsylvania, a decided federalist, (whose name I have no hesitation in stating to any enquirer) emphatically declared, in a circle of gentlemen of the bar, that it was the honestest and fairest book on politics he had ever read.

Under this impression of its usefulness, I am very desirous of extending its circulation; not from motives of interest, as the reader will readily admit, when he is informed that besides the Boston, Middlebury, and Cincinnati editions, for which I have not, and will not receive a dollar, I have offered the gratuitous privilege of printing the work, in Raleigh, Richmond, and Hartford; and perhaps I may say, without impropriety, that if it deserve one-fourth of the praise which has been lavished on it, some decided exertions ought to have been made to give it a general circulation. Enough of this. Let me turn another leaf.

Mr. Coleman, the editor of the New York Evening Post, has lately asserted in the most dogmatical manner, as if of his own knowledge, that I am not the author of this work; and that it was written by some "confirmed New York misanthropist." I sent him a calm and candid reply, for which I claimed and expected a place in his paper: but he had neither the generosity nor the common justice to publish this reply to a wanton and unprovoked attack, in which by fair implication, I am charged with falsehood and dishonesty, in prefixing my name to a work as author, which he asserts I did not write. I leave Mr. Coleman, to justify this odious mode of managing a press, to his own conscience, and to the public.

I have more than once conducted a newspaper. I have studied the duties of an editor with attention; and am firmly persuaded that this conduct on the part of Mr. Coleman, is a gross and flagrant violation of one of his fundamental duties. Mr. Coleman has no right to make such a daring attack on me or any other citizen, without affording a full and fair opportunity of vindication.

On this subject of authorship, I shall merely state, that the allegation is utterly destitute of truth—that there is not a single line in the work, except the documents and extracts, written by any person but myself; and that the confirmed misanthropist, whoever he be, is as innocent of it as Mr. Coleman, or Major Russel.

The very simple mode of *refuting* a book, by ascribing it to some other person than the real author, is rather stale. It had lost all the merit of novelty many centuries since; and however it may have answered the purpose, on its "*first appearance*," it is now wholly unavailing. Mr. Coleman may rest assured, that when the Olive Branch, charges him with "*preferring war and all its horrors to the exclusion of his friends from power*;" there is not a man in the country, who will conceive that the charge is refuted, by his peremptorily asserting, that it was not Mr. Carey, but "a confirmed misanthropist," that has made the accusation. This dogmatical, and utterly groundless assertion will not refute a single line of the work. The reader will require arguments of a very different kind indeed, to be convinced that I am in error.

Were the spirit of persecution in possession of as sovereign authority over the axe, or the gibbet, as formerly; I should most indubitably be destroyed, for the very strong, and unpalatable truths in this book, if I had "*as many lives as a cat*," or, "*as one Plutarch is said to have had*." But thank heaven, those days are past; the spirit, however, remains; but it can only sate its malice, by slander and abuse of a man's character; and by attempts to destroy his business, or his prospects in life. But to a man who has passed fifty-five, with a constitution never very good, and now considerably impaired, it is not very important what befals him, in the short remainder of life. When tender women, some of them pregnant, have freely gone to the stake, or to the gibbet, for dogmas, which they could not understand: it does not require a very extraordinary degree of heroism, for a man of fifty-five, to run any risques, of person or character, that may attend a bold appeal to the good sense of the nation, with a view to acquire the benediction, pronounced in the declaration, "Blessed are the peace makers."

M. CAREY.

* * It would be ungenerous not to acknowledge the obligations I am under to sundry gentlemen, for documents of various kinds. Richard Rush, Cesar A. Rodney, Joseph Nourse, and Adam Seybert, Esq'rs. have been uncommonly kind and attentive. Whatever they have had in their power, they have furnished. To Mr. Duponceau's pamphlets I have had free access. From Mr. Binns I have had various newspapers highly serviceable. And Mr. Andrew Dunlap, late of Boston, now of Cincinnati, furnished me with the chief part of the extracts from the Boston papers. These gentlemen, and others whose names I need not mention, will, I hope, accept this public testimony of my gratitude.

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THE

OLIVE BRANCH, &c.

CHAPTER I.

Crisis of the affairs of the United States. Dangers of parties and factions. Similarity of our situation to that of France, Italy and England, previous to their civil wars. To excite insurrection easy. To allay it difficult. Dangers of a tendency of inflammatory publications.

THE situation of the United States was in the fall of 1814 highly critical. Party and faction, the bane and destruction of all the old republics,* were carried to such extravagant lengths, as to endanger the public tranquillity—and perhaps lead to civil war, the greatest scourge that ever afflicted mankind. Unceasing efforts were used to excite our citizens to open resistance of the government.† This principally took place in the eastern states; but there was hardly a portion of the union in which there were not persons constantly employed in inflaming the public mind, and

* An idea has been propagated by superficial writers, and pretty universally believed by superficial readers, that party and faction are peculiar to republics. Never was there a greater error. There is hardly a body of men, how small or insignificant soever, that is not disturbed more or less by party and faction. Within the last ten years, one-half, at least, of the Religious Congregations in Philadelphia, have been distracted by discord and faction, which, in more instances than one, have been carried to the extreme length of absolute separation. And, to mount higher, who can forget the violent factions at the commencement of the reign of George III. when England was on the very verge of insurrection—and let me add the religious crusade of Lord George Gordon, which was the offspring of faction, and terminated in enkindling thirty-six fires at once in London—of which city the mob had undisturbed possession for several days. All the felons, and other tenants of the prisons had their chains knocked off, and were let loose once more to prey on the public. The enumeration were endless. Let this slight sketch suffice.

† These topics will be fully discussed in specific chapters at the close of this work.

preparing it for commotions.* Thousands and tens of thousands of citizens, upright, honest, and honourable in private life, were so deluded by the madness of party as to believe, that the defeat, the disgrace, and the disasters of our armies†—the destruction of the public credit*—(as leading to the expulsion from their stations of the highest public functionaries duly chosen by the people)—were all "a consummation devoutly to be wished"—and the certain means of procuring a speedy and an honourable peace, which we could not fail to obtain from the magnanimity of Great Britain, provided we removed those public officers, whom, according to them, she had so much reason to execrate.

It was in vain that the uniform voice of history proclaimed that the generosity of nations towards each other is a nonentity; that the terms of a treaty are more or less favourable or injurious in proportion to the relative strength, and energy, and means of annoyance or defence, of the parties; that powerful nations have almost always taken advantage of the feebleness of their adversaries; and that the certain road to a speedy and an honourable peace has ever been to wage war with the utmost decision and effect.

Were history wholly silent on this topic, the inherent propensities of human nature, properly explored, might satisfy every rational mind of the soundness of these political maxims. They are fair deductions of reason and common sense, to which the universal experience of mankind bears testimony. Every nation, in its periods of debility, has been obliged occasionally to submit to injustice. Every nation, possessing the power to do injustice, has more or less availed itself of the opportunity.

* See second Note, at the bottom of the preceding page.

† To some of my readers this will seem impossible. It certainly appears incredible. But there are many things very incredible, that are nevertheless true. And it is capable of the most complete judicial proof, that gentlemen, highly estimable in private life, have thanked God most fervently for the disgraceful capture of our armies. Others have prayed to God that every one of our soldiers who entered Canada, might be slaughtered. This is one of the many strange and unaccountable instances in which our history is utterly unlike the histories of the other nations of the earth. It is really a *sui generis*. I feel pretty confident that no man of character or worth in England or France, ever rejoices at the disgrace or disasters of his country. But I blush to tell it, the disgrace of our armies has been repeatedly a subject of as much exultation in our coffee houses and our newspapers, as in the city of London. I could name individuals of the utmost worth in all the social relations, *except that which they bear to their country*, whose satisfaction at the distresses and embarrassments of our government has at least equalled that of lord Castlereagh.

I was aware, that my fears of civil war were regarded as visionary, as the wild effusions of a disordered brain. I found myself in a small minority. And were the correctness of opinions to be tested by the numbers who entertain them, mine would appear most miserably erroneous. But this is a conclusion not warranted by history. It had been a thousand times asserted, and will be as often repeated, that the people of the United States were too enlightened to fall into such a fatal error, and that they knew too well the value of the blessings they enjoyed, to sacrifice them so absurdly. Such a delusion was pardonable a few years previous to that period. But our then recent, stupendous follies ought to have wholly dispelled it. We displayed, in many cases, as much insanity as the history of the world exhibits in any of its pages.

Danger is not diminished by shutting our eyes against its approach, or by denying its existence. This would be a cheap price to pay for security. But it is not to be purchased thus. And those who seriously weigh the causes that led to the civil wars which desolated France, under the house of Valois; England under Charles I.; and Italy for entire centuries, with hardly any intermission; will have reason to believe that our security was by no means so well founded as was generally supposed. In numberless points of view, our situation and our proceedings bore a very strong analogy to those of the three nations to which I have referred, immediately previous to their respective civil wars. Whoever reads with due attention Davila's history of France, Machiavel's of Florence, or Clarendon's of the rebellion under Charles I., will be astonished at the near resemblance.*

The difference between our situation a few years since, and the late turbid state of the country, was indubitably far greater than from where we then stood to insurrection, and separation, and civil war. While there were so many combustible materials scattered abroad, and such unceasing pains taken to inflame the public mind, very trivial accidents

* The divisions, and distractions, and factions, that prevailed among, and the butcheries alternately perpetrated on each other, by the contending parties in the Grecian and Italian republics, are ably and instructively detailed in the Defence of the American Constitutions by the ex-president John Adams. This work has not had the fate it merited. It has been laid aside and almost forgotten. Yet there is no work extant which contains more useful lessons for an American—none in which the horrors of faction are more forcibly displayed—none that our statesmen and politicians ought to study more carefully. A few passages, selected here and there, have been employed for the purpose of decrying it, and with too much success. But there never yet was a human production that might not be condemned to the flames by the same mode of trial.

might have enkindled a conflagration.—Once unhinge a government—once let loose mankind from the restraints of law and constitution—and the human mind cannot readily calculate the terrible result.

It was said, that those who had for years urged the propriety, and necessity, and advantages to the eastern states, of a dissolution of the union, did not intend to proceed thus far; and that they held out these threats *in terrorem* to awe the administration. There is the strongest possible reason to believe that this was a pernicious, a fatal error—and that the leaders of the malcontents were perfectly serious in their views of a separation. How often had the churches echoed with the insurrectional, the treasonable, the fanatical, the rebellious cry, "WHERE IS OUR MOSES? *Where is the rod of his miracles? Where is our Aaron? Have we no Moses to lead us out of the land of Egypt?*" Fatuity itself could not mistake the meaning of this species of declamation. But even were the leaders merely threatening, it afforded us no security against the ruinous result. Those who raise the storm of civil commotions, possess not the power at pleasure to allay its violence—to say with effect, "thus far shalt thou go, and no farther." This theory was fully exemplified in the civil wars of England between Charles I. and his parliament, and likewise in the French revolution. The latter, of which nearly all the early leaders perished in jails and on scaffolds, is a very strong case. Very few of these distinguished and illustrious men contemplated a recourse to arms. They hoped for a bloodless triumph over tyranny. But they were borne down and destroyed by violent, and wicked, and sanguinary men, or rather monsters, whom their proceedings released from restraint, but whom their utmost efforts could not restrain or control.

Never had brighter prospects shone on a nation than those that shone on the United States. Never had a nation been more highly blest. Never had the security of person, and property—of liberty, civil and religious—been attained by such easy sacrifices. Never had the weight of government pressed more lightly. It was not felt. Never had the fondest theories of philosophers and lovers of mankind, been more completely realized.

Our case was very analagous to that of a youth who inherits a large estate, and, unacquainted with the difficulty of its acquisition, cannot form an estimate of its value. This can only be done by a due consideration of the condition of those who are destitute of the advantages of fortune. He becomes a prodigal. He lavishes away his treasures. He only then begins to appreciate them, when they are irre-

trievably squandered. This was precisely our case. We had not sufficiently compared our situation with that of the mass of mankind.—We had never taken a full view of the glorious, the inestimable advantages we possessed. We had the most noble inheritance that ever fell to the lot of a nation, and had not duly appreciated our happiness. We had jeopardized it most wantonly and fatuitously.—We were on the verge of its total loss. A little further progress in folly and madness, and we should have been undone. We had by rapid strides, approached the banks of the Rubicon. Whether we should plunge in, and ford the stream, or, struck with a due sense of our errors and our danger, make a retrograde movement, and regain the elysium whence we started, was in the womb of time. Heaven directed us to the blessed alternative! Beyond the stream verges a dreary desart, where anarchy and civil war hold their terrific reign, with all their long train of horrors, and where the devious paths lead directly to ruthless despotism.

It was time, therefore, to make a solemn pause—to retrace our steps—and, since we refused to profit by the sad experience of other ages and nations, to avail ourselves of our own. By honest endeavours—by abating the odious violence of party spirit—by mutual compromise—by rending asunder the odious, the degrading, the pernicious yoke of the violent men whose influence and prosperity depended on public commotions—we might happily regain the ground we had lost—we might dispel the delusion that was leading us to temporal perdition.

To vindicate myself from the charge of folly, in my gloomy apprehensions and anticipations, I submit to the reader a few specimens of the unceasing efforts which for years have been making to enkindle the flames of civil war. That we have not yet been involved in it, is not justly chargeable to the want of a due degree of labour and industry. Never was more activity displayed—never was a cause more sedulously or ably advocated. And never was there less scruple about the means, provided the end was accomplished.

"On or before the 4th of July, if James Madison is not out of office, *a new form of government will be in operation in the eastern section of the union. Instantly after, the content in many of the states will be, whether to adhere to the old, or join the new government.* Like every thing else foretold years ago, and which is verified every day, this warning will be also ridiculed as visionary. Be it so. But Mr. Madison cannot complete his term of service, if the war continues. It is not possible; and if he knew human nature, he would see it." *Federal Republican, November* 7, 1814.

"Is there a federalist, a patriot in America, who conceives it his duty to shed his blood for Bonaparte, for Madison, for Jefferson, and that HOST OF RUFFIANS *in Congress*, who have set their faces against US for years,

and spirited up the BRUTAL PART OF THE POPULACE to destroy us? Not one.—Shall we then any longer be held in slavery, and driven to desperate poverty, by such a graceless faction?—Heaven forbid." *Boston Gazette.*

"*If at the present moment, no symptoms of civil war appear,* ☞ *THEY CERTAINLY WILL SOON, unless the courage of the war party fail them.*" Sermon by David Osgood, D. D. Pastor of the church of Medford, delivered June 25, 1812, page 9.

"*A civil war becomes as certain as the events that happen according to the known laws and established course of nature.*" Idem, page 13.

"If we would preserve the liberties, by that struggle [the American revolution] so dearly purchased, *the call for RESISTANCE against the usurpations of our own government is as urgent as it was formerly against those of our mother country.*"*

"If the impending negociation with Great Britain is defeated by insidious artifice; if the friendly and conciliatory proposals of the enemy should not, from French subserviency, or views of sectional ambition, be met throughout with a spirit of moderation and sincerity, so as to terminate the infamous war which is scattering its horrors around us, and arrest the calamities and distress of a disgraced country, *it is necessary to apprise you, that such conduct will be no longer borne with. The injured States will be compelled, by every motive of duty, interest, and honour; by one manly exertion of their strength, to dash into atoms the bonds of tyranny. It will then be too late to retract. The die will be cast. Freedom preserved.*"†

"*A separation of the States will be an inevitable result. Motives numerous and urgent will demand that measure. As they originate in oppression, the oppressors must be responsible for the momentous and contingent events, arising from the dissolution of the present confederacy, and the erection of separate governments.* It will be their work. While posterity will admire the independent spirit of the Eastern section of our country, and with sentiments of gratitude, enjoy the fruits of their firmness and wisdom—the descendants of the South and West will have reason to curse the infatuation and folly of your councils." (Idem page 9.)

"*Bold and resolute, when they step forth in the sacred cause of freedom and independence, the Northern people will secure their object. No obstacle can impede them. No force can withstand their powerful arm. The most numerous armies will melt before their manly strength.* Does not the page of history instruct you, that the feeble debility of the South, never could face the vigorous activity of the North? Do not the events of past ages remind you of the valuable truth, *that a single spark of Northern liberty, especially when enlightened by congenial commerce, will explode a whole atmosphere of sultry Southern despotism?* You well know the termination of the expedition of Xerxes, with his hundreds of thousands, against the Greeks! The commercial Athenians taught the debilitated tyrant of Asia, on the plains of Marathon, and at the straights of Calamis, of what exertions Freedom is capable, when roused by oppression. The hardy Macedonians not only defeated and dispersed countless hordes of Southern effeminacy, but traversed their country at pleasure." (Idem page 12.)

"When such are the effects of oppression upon men resolved not to submit, as displayed in the North and South of Europe, and in all ages of the world, do you flatter yourself with its producing a different operation in this country? Do you think the energies of Northern freemen are to be tamely smothered? Do you imagine they will allow themselves to be trampled upon with impunity? And by whom? The Southern and Western States! by men whose united efforts are not sufficient to keep in order their own enslaved population, and defend their

* Discourse delivered before the lieutenant governor, the council, and the two houses composing the legislature of the commonwealth of Massachusetts, May 31, 1809. By David Osgood, D. D. p. 23.

† "Northern grievances, set forth in a Letter to James Madison, by a North American." Published May, 1814, and circulated with great industry, throughout New England and New York, p. 4.

own frontiers! by warriors whose repeated attempts at invasion of a neighbouring province, have been disgracefully foiled by a handful of disciplined troops! by Generals, monuments of arrogance and folly! by councils the essence of corruption, imbecility, and madness!

"*The aggregate strength of the South and West, if brought against the North, would be driven into the ocean, or back to their own sultry wilds—and they might think themselves fortunate if they escaped other punishment than a defeat, which their temerity would merit.* While the one would strive to enslave, the other would fight for freedom. While the councils of the one would be distracted with discordant interests; the decisions of the other would be directed by one soul. Beware! Pause! before you take the fatal plunge." (Idem page 13.)

"You have carried your oppressions to the utmost stretch. *We will no longer submit.* Restore the Constitution to its purity; give us security for the future, indemnity for the past. Abolish every tyrannical law. Make an immediate and honourable peace. Revive our Commerce. Increase our navy. Protect our seamen. *Unless you comply with these just demands, without delay, we will withdraw from the Union, scatter to the winds the bonds of tyranny, and transmit to posterity, that Liberty purchased by the Revolution.*" (Idem page 16.)

"Americans! PREPARE YOUR ARMS—*you will soon be called to use them.* We must use them for the emperor of France, *OR FOR OURSELVES.* It is but an individual who now points to this ambiguous alternative. But Mr. Madison and his cabal may rest assured, there is in the hearts of many thousands in this abused and almost ruined country, a sentiment and energy to illustrate the distinction when his madness shall call it into action."

(*Boston Repertory.*)

"*Old Massachusetts is as terrible to the American, now, as she was to the British cabinet in 1775; for America, too, has her Butes and her Norths. Let then the commercial states breast themselves to the shock,* and know that to themselves they must look for safety. All party bickerings must be sacrificed on the altar of patriotism. *Then, and not till then, shall they humble the pride and ambition of Virginia,* whose strength lies in their weakness; and *chastise the insolence of those madmen of Kentucky and Tennessee, who aspire to the government of these states, and threaten to involve the country in all the horrors of war.*"

(*New York Commercial Advertiser.*)

The language of the writers is plain and unequivocal. It admits of no mistake or misconstruction. That they intended to produce insurrection and dissolution of the union, unless they and their friends were enabled to seize upon the government, regardless of the frightful consequences, it would require consummate impudence to deny; it would be folly, or insanity to disbelieve. What might ultimately be their success, it was impossible to foresee. Every thing depended on the course pursued by those who had an interest in the public welfare. If they were not wanting to themselves and to their country, we were sure to rise triumphant over our difficulties and embarrassments. But if the then prevailing wonderful apathy continued; if we remained sluggishly with our arms folded, while our situation became daily more awful and alarming; ruin was inevitable. We should have afforded one of the most striking instances in history, of premature decay and decrepitude. The Lord in his mercy has averted such an awful fate!

Reliance was placed by those who denied the existence of the danger which I deprecated, upon the sober character

of the nation. They regarded that character as a guarantee against civil war. I was well aware of this circumstance. I allowed it a due share of influence and importance. But the strong inference drawn from it, was unwarranted by history. And let it be observed, once for all, that the only unerring guide in government, or politics, is history, to the neglect of whose lessons may be ascribed more than two thirds of our errors and follies.

The Athenians were a highly polished, and a refined people. No nation in ancient times, ever excelled them in these respects. Yet they were occasionally seduced into the most frightful cruelties by their Cleons and other enragés. They often massacred their prisoners in cold blood, and long after they were taken. And the proscriptions and butcheries the adverse parties perpetrated on each other, as they gained the ascendency, are frightful subjects of reflection, and to us hold out most invaluable warnings.

No nation of modern Europe excelled France, few equalled her—in courtesy—in mildness—in urbanity. And yet never did mankind exhibit themselves under a more hideous aspect—never did they change nature more completely with wolves, tygers, and hyænas, than the French under Marat, Danton, Couthon, and Robespierre. ☞ *These are awful lessons, to which those who were lending their aid to tear down the pillars of our government, ought to have attended.*

Man is the same every where, under the same excitements. We have our Cleons, and our Couthons, and our Dantons, and our Robespierres, who only required suitable occasions to have given scope to their energies. Mild and gentle as is the American character generally, the revolution in this country exhibited in various places, where the parties were rancorously embittered against each other, many terrifying scenes. Prisoners were often hung up without trial by the partizans on both sides. Men and women were treacherously shot down in their houses. And not unfrequently private malice, to sate its rage, disguised itself under the cloak of public spirit. Let us ponder well on these circumstances. They are fraught with important admonitions.

To apply a remedy to any evil, moral or physical, it is indispensably necessary to explore its nature—to ascertain its causes—and to trace its consequences. Any other procedure arises from error and folly, and is pregnant with defeat and disappointment.

With this view I respectfully solicited the public attention. I took a rapid retrospective glance at the folly and guilt, which the factious and discordant state of our country had generated. As far as in my power, I divested myself

of any party bias, and treated the subject as if it belonged to another age or nation. Whatever errors I fell into, arose not from sinister intention: they were chargeable to inadvertence and human imperfection. On my freedom from partiality, I felt the more reliance, from my unalterable conviction, that both the hostile parties that divide this country, and who regard each other with so much hatred and jealousy, had largely contributed towards the misfortunes that had befallen us—the melancholy change that had taken place in our situation—and the dangers that threatened us. It was impossible for a candid mind to review the scenes through which we had passed for some years, without a thorough conviction, that each had been guilty of most egregious errors and follies, and occasionally of something worse than either; and that (☞ *whenever the interests of the nation and the interests of the party came in collision, the former had been too frequently sacrificed* by both federalists and democrats to the latter.* No man who has any public spirit, can take a review of our history without feeling the deepest regret at the extent of the mischief this miserable system of conduct has produced. It has defeated many of the noblest plans that the wisdom of the country has ever devised. I may be wrong in my calculations; but I believe it has prevailed to at least as great an extent here, as in almost any other country, or at any other period of time. When the present generation sits for its picture to the historian, it will form a strong contrast to that which is past and gone. The errors or follies, however, of either party would have produced but little injury comparatively, had not those of the other conspired to give them malignity and effect.

From this exposition of my views, it was obvious I should steer a course very different from the generality of writers on political topics. With hardly a single exception, their object is, having espoused a party, to justify and emblazon its supporters, whether right or wrong; and, if needs be,

"To make the worse appear the better cause."

In pursuit of this object, their own partizans are all angels of light,—whose sublime and magnificent plans of policy are calculated to produce a political millenium; and their opponents, demons incarnate, intent on the destruction of the best interests of the country. These portraits are equally unjust and incorrect. One is all beauty, with little resemblance to the pretended original—the other a hideous caricature, equally foreign from honour, truth, and justice.

* This is one of the most lamentable and humiliating facts in our history.

Among the frightful consequences resulting from this odious practice, a plain and palpable one presents itself. These horrible portraits engendered a satanical spirit of hatred, malice, and abhorrence in the parties towards each other. Citizens of adverse opinions, whose views were perfectly pure and public spirited, were to each other objects of distrust and jealousy. We attached all possible guilt and wickedness—political at least—to our opponents—and then detested the hobgoblins which we had ourselves created.

It is not thus society is constituted. The mass of mankind perhaps of all parties, and in all ages, have meant well, except in very corrupt states of society. And little more is necessary to produce harmony between them, than to understand each other correctly. But hostility is excited and perpetuated by the intrigues and management of demagogues, whose influence and consequence depend on fomenting discord, and who would sink into insignificance in times of tranquillity. Mankind, as I have hinted, hate each other, not for real existing differences, but for phantoms, the production of heated imaginations. Experience has frequently evinced that the very plans of policy which parties out of power have reprobated and denounced as pernicious, they have pursued themselves as soon as they had vanquished their opponents, and seized on their places. And I believe every man of reflection will acknowledge, that if the federalists had retained the administration in their hands, they would have advocated the rights of their country as firmly as their successors have done; and would probably have adopted measures to resist the arrogant and destructive claims of England, similar to those, for which they have so strenuously, though not very honourably or consistently, opposed the present administration.

This is not mere supposition. It is historical fact. It will be seen in the sequel of this work, that the federalists took as high ground on the subject of impressment, and as firmly and patriotically resisted the unjust, the daring, the degrading pretensions of England, as Mr. Jefferson or Mr. Madison have done. Yet the resistance of the two latter presidents has been among the strongest accusations alleged against them by their political adversaries. It is impossible to reflect on these topics without sighing over human weakness and folly. Federalism has in these transactions suffered a stain never to be effaced.

CHAPTER II.

Errors of the Democratic Party. Federal Constitution. Opposition to a Navy. Alien and Sedition Law. Jay's Treaty.

In pursuance of my plan, I proceed to a review of those errors of the democratic party, which contributed to produce the change in the prospects of this country, and to darken the political horizon; and I trust it will appear that I have not done them injustice in charging a large portion of the folly and guilt to their account.

Federal Constitution.

In the convention that formed the federal constitution, the democratic party sowed the seeds of a premature dissolution of that instrument, and of the American confederacy. Regarding society more as it ought to be, than as it has ever been, or is ever likely to be—led away by theories more plausible than solid—applying to a free elective government, deriving all its powers and authorities from the voice of the people, maxims, and apprehensions, and precautions, calculated for the meridian of monarchy, they directed all their efforts, and all their views, towards guarding against oppression from the federal government. Whatever of authority or power, they divested it of, to bestow on the state governments, or reserve to the people, was regarded as an important advantage. Against the federal government their fears and terrors were wholly directed. This was the horrible monster, which they laboured to cripple and chain down, to prevent its ravages.—The state governments they regarded with the utmost complacence, as the public protectors against this dreadful enemy of liberty. Had they succeeded in all their views, they would have deprived the general government of nearly all its efficiency. Alas! little did they suppose that our greatest dangers would arise from the usurpations of the state governments, some of which have since most awfully and treasonably jeopardised the union. Unfortunately this party was too successful in the convention. Its endeavours produced a constitution, which, however admirably calculated for a period of peace, has been found incompetent in war to call forth, at once and decisively, the energies of the nation, and the administration of which has been repeatedly bearded, baffled, and thwarted by the state governments. Had the real federalists in the convention succeeded, and made the general government somewhat more

energetic—endowed it with a small degree more of power—it might endure for centuries. What fate at present awaits it, is not in human wisdom to foresee. I fervently pray, with the celebrated father Paul, *esto perpetua.*

This error of the *democratic party* arose from a want of due regard to the history of republics, and from a profound study of those political writers who had written under monarchical governments, and whose views were wholly directed to guard against the danger of tyranny flowing from the overweening regal power, especially when possessed by men of powerful talents, and great ambition. The theories whence they derived their views of government were splendid and sublime—the productions of men of great public spirit, and regard for the general welfare and happiness—and, had they been duly attempered by maxims drawn from experience, would have been of inestimable value.

Establishment of a small Navy.

The steady and factious opposition made by the democratic party, to the establishment of a small navy, adequate at least to the protection of our own coasts, has been proved by the event to have been most wretched and miserable policy. It arose, as well from a spirit of hostility towards the party in power, as from a sordid and contemptible spirit of economy, which has in many instances disgraced and dishonoured this party, who have frequently proved themselves, to use a very trite but very expressive proverb, "penny wise—pound foolish." When we analyse the boasted spirit of economy, to which the opposition to a navy may be in part ascribed, we shall find it arises from two sources; the one, from men of narrow minds carrying into public, the huckstering habits of private life. The other, a base spirit of courting popularity by husbanding the public treasure, even on occasions when liberality is true economy, which as frequently occur in public affairs as in private life. Both motives are equally contemptible; but the latter is the more pernicious, and produces the most ruinous consequences. It starves and smothers public undertakings, and public spirit; and often defrauds illustrious men of their due rewards. It is the characteristic vice of our times, and of our nation, and ought to be hunted down by every man who has a real regard for the honour or interest of his country. To this vile spirit we must ascribe the never-enough-to-be despised debate, whether Eaton, the glorious and immortal hero of Derne,*

* Perhaps my estimate of this exploit may be erroneous. I cannot but regard it as one of the most illustrious events in American military affairs by land—when all

should be rewarded with a sword or a medal! a debate which brought down on the congress in which it took place, the contempt of every magnanimous and liberal man in the nation; a debate which would have disgraced the common council of the most petty borough in the union. To this spirit it is due, that votes of thanks, and swords, and urns, and other cheap modes of displaying our gratitude, have tranquilized our minds, and deceived us into the opinion, that we have paid the boundless debt due to the Hulls, the Bainbridges, the Decaturs, the Perrys, the Porters, the Macdonoughs, the Jonesses, the Ripleys, the Brownes, the Scotts, the Coffees, the Carrolls, the Macombs, the Jacksons, and the other heroes whose glory will live as long as public spirit, consummate talents, and bravery command the veneration of mankind.

The modest, the unassuming, the youthful Perry, rescued a whole frontier, men, women, and children, from the murderous tomahawk. Macdonough certainly rescued another, and prevented the enemy from establishing his winter quarters far within our territory. And Jackson has achieved for himself and his country immortal honour, by an exploit certainly never exceeded, perhaps never equalled. He preserved one of the most important keys and emporiums of the country, from the power of the enemy, by the most consummate prudence, talents, and bravery. The interest of the property he saved from depredation, is probably above $750,000 per annum. Yet I doubt whether there is gratitude enough in our public bodies, who hold the purse strings of the nation, or in the individuals whose property has been preserved, to make him any adequate return. I hope and pray I may be deceived. I deprecate being correct in this calculation. But I have fearful misgivings on the subject.

To enable us to form an estimate of the immense debt we owe our illustrious heroes, it is only necessary to call to recollection, the prostration of the public mind, and the degradation of the national character in the early part of the war, when our operations on land were "one continued stream" of disgraces and disasters; and when but for the exploits of Hull and a few others on the ocean, the name of an American

the circumstances of the case are taken into view. I never reflect without amazement and admiration on the heroism of the gallant band, who, under this intrepid chief, pierced through the frightful desart, and shook a powerful usurper's throne to the centre. I have always deplored the inauspicious interference that dashed the glorious prize to the earth just as Eaton had stretched out his hand and was ready to seize it without the smallest danger of an unfavourable result. The state of Massachusetts acquired a high degree of honour by its liberality to the warrior of Derne, on whom it bestowed 10,000 acres of land as a mark of its esteem and admiration. This act of generosity, by the contrast, made the miserable conduct of Congress appear worthy of additional contempt.

would have been a passport to shame and disgrace. The national character was supported throughout the war by our little navy, whose exploits may challenge comparison with any of the most signal acts of heroism recorded in history. And on land it was towards the close nobly retrieved by the heroes whose names I have given, and others who will grace their country's annals. And is it possible that congress will be base enough not to give some substantial proof of the nation's gratitude for benefits so far beyond all price!

In no instance, hitherto, have congress or the people of the United States discharged their duty in this respect, or displayed a suitable degree of gratitude. Of votes of thanks they have been abundantly liberal. These cost nothing. A few swords and medals too have been awarded. But of all the benefactors of their country—those men *who have preserved it from the bottomless abysses of disgrace and dishonour into which it was precipitously falling*—who have given it a rank among the nations of the earth, I believe there is not one on whom the nation has bestowed a reward worthy of him or it. Who was he that said, "the sin of ingratitude is worse than witchcraft?" Whoever he was, honoured be his name.

The debt due to the illustrious men with whose names I have honoured my page, and others, who have trod the same path of glory, can hardly ever be discharged, even on the ground of mere calculation of benefit to the nation, exclusive of the elevation of its character.

If England, whom in this respect we ought to aspire to emulate, gave 500,000*l.* sterling to her Wellingtons and Nelsons, let the United States give some solid and substantial proof of their gratitude, to their illustrious heroes. I need not add, that I do not calculate upon such very extravagant rewards as the British parliament voted "the great lord," as he has been styled. But the gift ought to be worthy of the donor and acceptor; ought to operate as a reward to the meritorious, and a stimulus to excite others to emulation.

This is in some degree a digression. But I hope the feelings of my readers will be sufficiently in unison with these sentiments, not to require any apology. I therefore make none. I return to the navy.

I feel confident, that the nation has lost one hundred times as much through the want of a small navy, as it would have cost. Numbers of instances have occurred, of valuable merchantmen having been captured by petty pickaroons or pirates, with one or two guns. Our ports have been insulted and outraged, and the ships and cargoes of our merchants been plundered by privateers and sloops of war, which a few

armed vessels would have forced to keep a respectful distance. There is none of the points on which the two hostile parties have differed, wherein the democrats have been so very far below their adversaries in consulting the real, the permanent honour and interest of the country, as in the establishment of a naval force. The policy of the federalits in this respect was dignified and honourable; that of the democrats miserably contracted.

Alien and Sedition Laws, and Eight per cent. Loans.

The factious clamour excited against the sedition and alien laws, and against the eight per cent. loan—which clamour was the principal means of changing the administration, and taking it from the hands of the federalists, to place it in those of the democrats—may be justly reckoned among the sins of the latter party. A candid review of the so-styled sedition law, at the present hour, when the public ferment to which it gave rise has wholly subsided, will satisfy any reasonable man, that so far from being an outrageous infringement of liberty, as was asserted, it was a measure not merely defensible; but absolutely necessary and indispensible towards the support of government.* To enable the reader to judge for himself, without the trouble of referring to a volume of the laws, I annex the document itself.

"Sec. 1. Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That if any persons shall *unlawfully combine or conspire together, with intent to oppose any measure or measures of the government of the United States, which are or shall be directed by proper authority, or to impede the operation of any law of the United States,* or to intimidate or prevent any person holding a place or office in or under the government of the United States, from undertaking, performing, or executing his trust, or duty; and if any person or persons, with intent as aforesaid, shall counsel, advise or attempt to procure any insurrection, riot, unlawful assembly, or combination, whether such conspiracy, threatening, counsel, advice, or attempt shall have the proposed effect or not, he or they shall be deemed guilty of a high misdemeanor; and on conviction, before any court of the United States having jurisdiction thereof, shall be punished by a fine not exceeding five thousand dollars, and by imprisonment during a term not less than six months, nor exceeding five years; and further, at the discretion of the court, may be holden to find sureties for his or their good behaviour in such sum, and for such time, as the said court may direct.

"Sec. 2. And be it further enacted, That if any person shall write, print, utter or publish, or shall cause or procure to be written, printed, uttered or published, or shall knowingly and willingly assist or aid in writing, printing, uttering or publishing *any false, scandalous and malicious writing or writings against the government of the United States, or either house of the Congress of the United States, or the President of the United States,* with intent to defame the said government, or either

* It is but justice to avow that the writer of this book was as ardent in his opposition to, and as much alarmed at the probable consequences of the alien and sedition laws, as any man in the community. As it requires an extraordinary degree of corporeal sanity to resist the effects of a violent epidemical disorder, so it requires great strength of mind to keep out of the vortex of factious contagion, when prevalent with those whose opinions are generally congenial with our own. Of this strength of mind the writer was destitute in common with a large portion of his fellow citizens.

house of the Congress, or the said President, or to bring them, or either of them, into contempt or disrepute; or to excite against them, or either or any of them, the hatred of the good people of the United States, or to stir up sedition within the United States; or to excite any unlawful combinations therein, for opposing or resisting any law of the United States, or any act of the president of the United States, done in pursuance of any such law, or of the powers in him vested by the constitution of the United States; or to resist, oppose, or defeat any such law or act; or ☞ *to aid, encourage, or abet any hostile designs of any foreign nation against the United States, their people or government*, then such person, being thereof convicted before any court of the United States having jurisdiction thereof, shall be punished by a fine not exceeding two thousand dollars, and by imprisonment not exceeding two years.

"Sec. 3. *And be it further enacted and declared*, That if any person shall be prosecuted under this act, for writing or publishing any libel as aforesaid, ☞ *it shall be lawful for the defendant, upon the trial of the cause, to give in evidence, in his defence, the truth of the matter contained in the publication charged as a libel.* And the jury who shall try the cause, shall have a right to determine the law and the fact, under the direction of the court, as in other cases.

"Sec. 4. *And be it further enacted*, That this act shall continue and be in force until the third day of March, one thousand eight hundred and one, and no longer: *Provided*, that the expiration of the act shall not prevent or defeat a prosecution and punishment of any offence against the law, during the time it shall be in force."

July, 1798.

The fate of this law holds out an all-important lesson on faction and party spirit. Laudable and necessary as it was, and guarded, as far as a law can be guarded, against abuse, the opposition to it was as violent, and it excited as much horror and indignation, as if it had wholly destroyed the liberty of the press, and "*left not a trace behind.*" And in this senseless and disgraceful clamour, were engaged vast numbers of the best and most intelligent members of the community. The Alien and Sedition Laws were made the subject of an elegant, but violent and inflammatory report, agreed to by the legislature of Virginia, as respectable and enlightened a deliberative body as any in the United States, or perhaps in the world. But they were bitten by the mad dog of faction in common with so large a portion of their fellow-citizens, and were seized with the prevalent disorder. They regarded the two obnoxious laws as inroads upon public liberty, which required to be repelled with the utmost firmness.

It would be uncandid not to state, that the trials under this act, for libels against the president, and, as far as my recollection serves me, against some of the other public functionaries, were managed with very considerable rigour; and, from the abuse of the law, tended to give an appearance of propriety and justice to the clamour against it. The case of Thomas Cooper and Matthew Lyon, Esqrs, who were both treated with remarkable severity, excited a high degree of sympathy in the public mind. I have strong doubts, whether, under all the circumstances, a jury could be found in London to pronounce a verdict of "guilty" against either of them. Of the two cases, it may be justly said—*summum jus, summa injuria.* But the censure did not attach to the law. It lay at the door of the juries.

I have little to offer respecting the alien law. It was undoubtedly liable to strong objections. It invested the president with powers liable to great abuse. But it certainly never warranted the awful outcry that was raised against it. To enable the reader, however, to form his own opinion—and, if mine be erroneous, to reject it altogether, I annex the most obnoxious clause of the act.

"Sec. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That it shall be lawful for the President of the United States, at any time during the continuance of this act, to order all such aliens as he shall judge dangerous to the peace and safety of the United States, or shall have reasonable grounds to suspect are concerned in any treasonable or secret machinations against the government thereof, to depart out of the territory of the United States, within such time as shall be expressed in such order; which order shall be served on such alien by delivering him a copy thereof, or leaving the same at his usual abode, and returned to the office of the secretary of state, by the marshal or other person to whom the same shall be directed. And in case any alien so ordered to depart, shall be found at large within the United States after the time limited in such order for his departure, and not having obtained a *license* from the president to reside therein, or having obtained such *license* shall not have conformed thereto, every such alien shall, on conviction thereof, be imprisoned for a term not exceeding three years, and shall never after be admitted to become a citizen of the United States. *Provided always, and be it further enacted*, That if any alien so ordered to depart, shall prove to the satisfaction of the president, by evidence to be taken before such person or persons as the president shall direct, who are for that purpose hereby authorized to administer oaths, that no injury or danger to the United States will arise from suffering such alien to reside therein, the president may grant a *license* to such alien to remain within the United States, for such time as he shall judge proper, and at such place as he may designate. And the president may also require of such alien to enter into a bond to the United States, in such penal sum as he may direct, with one or more sufficient sureties to the satisfaction of the person authorized by the president to take the same, conditioned for the good behaviour of such alien during his residence in the United States, and not violating his license; which license the president may revoke, whenever he shall think proper."

July 6, 1798.

The eight per cent. loan remains. It was united with, and increased the clamour against, the alien and sedition laws; and these obnoxious measures, as I have already observed, precipitated the federalists from power. Yet we have since found that their successors, the democrats, have themselves given about eight per cent. on their loans. This would afford a glorious triumph to federalism over her inveterate rival, democracy, were it not that the annals of the former can furnish many instances of similar frailty, and inconsistency, and departure from professions. And it is a melancholy truth, that the histories of all the parties and factions that have, since government was first instituted, cursed and scourged mankind by their senseless, envenomed, and implacable hostilities, are replete with instances of errors equally disgraceful and dishonourable. A history of the madness, the folly, and the depravity of party and faction, is a grand desideratum.

Jay's Treaty.

The violent opposition to this instrument, which pervaded the union, and greatly disturbed the administration of General Washington, was a highly factious procedure on the part of the democrats, who were led away by objections, plausible, but not substantial—hardly any of which have been realised. This affair evinces the danger of yielding to the sudden impulses of national feeling, which bear down every thing before them, and which wholly overpower the reason and understanding of even the wise and the good, who on such occasions, are only on a level with the most uninformed and uncultivated part of the community. Nearly all the predictions respecting this treaty have been the sooth-sayings of false prophets; of men, some led astray by their prejudices—others by perturbed imaginations. Such of them as have been realised, have been more than counterbalanced by the solid advantages resulting from the adjustment of the differences between the two nations.

CHAPTER III.

Monroe and Pinkney's Treaty with England. Separation of the States. Treasonable Publications. Embargo. Non-intercourse.

Of the errors of Mr. Jefferson's administration, it is unnecessary to mention more than three, denoting two very opposite extremes of character—the one highly bold and daring—the other displaying an equal degree of feebleness.

Monroe and Pinkney's Treaty with England.

Two ministers appointed by Mr. Jefferson, had negociated a treaty with England, the best they could procure. It had been transmitted to him in due form. Without consulting the co-ordinate branch of the treaty-making power, he, on his own responsibility, rejected it, and transmitted to these ministers instructions to begin the negociation anew. This was a mighty and a fatal error.* It may be doubted whether it were not a violation, at least of the spirit of the constitution. It was at all events a case that probably did not enter into the conceptions of the framers of that instrument. If it had, it is likely they would have provided against its occurrence.

* It has been attempted to justify this procedure, by the circumstance, that the negociators had violated one explicit item of Mr. Jefferson's instructions—to conclude no treaty without a specific article guarding against impressments. This is no justification. It is barely a palliation.

A calm reflection on this subject can hardly fail to convince the reader that probably to this source may be fairly traced nearly all our present difficulties. Had this treaty been, as it ought, laid before the senate, they would in all likelihood have ratified the chief parts of it, and, as had been the case with Jay's treaty, have referred the obnoxious clauses to a new discussion. Our disputes with England would have been thus compromised—and our party divisions could never have been excited to such a height as to endanger the peace and security of the country.

It has been inferred from the rejection of this treaty, that it arose from Mr. Jefferson's desire of a cause of war with England. This is radically wrong. At no period since the commencement of the French revolution has there been a deficiency of a real cause of war with England, in the impressment of our seamen, and the violent proceedings against our commerce. But a pregnant proof of the fallacy of this charge arises out of the attack of the Leopard on the Chesapeake. This circumstance settles the question forever. Had Mr. Jefferson been desirous of war with England, nothing more was necessary than to have convened congress immediately after that event, during the extraordinary ebullition of the public mind which it created. All parties were then clamorous for, and would have heartily united in a war. And war would certainly have been declared by congress almost unanimously. But with a desire of peace, deserving of the highest praise and gratitude of his country, which he has never received, he deferred the convening of congress about four months, within which period the public ferment had subsided. This important fact has been wholly overlooked in the factious discussions that have taken place respecting his administration; so true it is, that in times of turbulence, reason raises her voice in vain. It is drowned in the obstreperous brawlings of noisy factionists.

The justice which leads to this vindication, compels me unqualifiedly to censure the very extraordinary and unprecedented measure of rejecting the treaty on his own responsibility.

Besides the want of an explicit clause on the subject of impressment, the friends of Mr. Jefferson assign another plea to justify him for the rejection of this treaty. After it was agreed to by both parties, there was a rider annexed to it by the British commissioners, which was calculated to give the treaty-sanction to the celebrated orders in council, which, even then, it would appear, were in contemplation.

To enable the reader to decide correctly, I annex the rider.

NOTE

Of the British Commissioners, accompanying Monroe and Pinkney's Treaty.

LONDON, Dec. 31, 1806.

"The undersigned, Henry Richard Vassal, lord Holland, and William lord Auckland, plenipotentiaries of his Britannic majesty, have the honor to inform James Monroe and William Pinkney, commissioners extraordinary and plenipotentiaries of the United States of America, that they are now ready to proceed to the signature of the treaty of amity, commerce, and navigation, on the articles of which they have mutually agreed.

"But at the same time they have it in command from his majesty, to call the attention of the commissioners of the United States, to some extraordinary proceedings which have lately taken place on the continent of Europe, and to communicate to them officially the sentiments of his majesty's government thereupon.

"The proceedings alluded to are certain declarations and orders of the French government issued at Berlin, on the 21st of November last.

"In these orders, the French government seeks to justify or palliate its own unjust pretensions, by imputing to Great Britain principles, which she never professed, and practices which never existed. His majesty is accused of a systematic and general disregard of the law of nations, recognized by civilized states, and more particularly of an unwarrantable extension of the right of blockade. Whereas *his majesty may confidently appeal to the world on his uniform respect to neutral rights, and his general and scrupulous adherence to the law of nations*, without condescending to contrast his conduct in these particulars with that of his enemy: and with regard to the only specified charge, *it is notorious that he has never declared any ports to be in a state of blockade, without allotting to that object a force sufficient to make the entrance into them manifestly dangerous.*

"By such allegations, unfounded as they are, the enemy attempts to justify his pretensions of confiscating as lawful prize, all produce of English industry or manufacture, though it be the property of neutrals; of excluding from his harbours every neutral vessel, which has touched at any port of his majesty's dominions, though employed in an innocent commerce; and of declaring Great Britain to be in a state of blockade, though his own naval ports and arsenals are actually blockaded! and he is unable to station any naval force whatever, before any port of the united kingdom.

"Such principles are in themselves extravagant and repugnant to the law of nations; and the pretensions founded on them, though professedly directed solely against Great Britain, tend to alter the practice of war among civilized nations, and *utterly to subvert the rights and independence of neutral powers.* The undersigned cannot, therefore, believe that the enemy will ever seriously attempt to enforce such a system. If he should, they are confident that the good sense of the American government will perceive the fatal consequences of such pretensions to neutral commerce; and that its spirit and regard to national honour will prevent its acquiescence in such palpable violations of its rights, and injurious encroachments on its interests.

"If, however, the enemy should carry these threats into execution; and if neutral nations, contrary to all expectations, should acquiesce in such usurpations; his majesty might probably be compelled, however reluctantly, to retaliate in his just defence, and to adopt, in regard to the commerce of neutral nations with his enemies, the same measures which those nations shall have permitted to be enforced against their commerce with his subjects. The commissioners of the United States will therefore feel, that at a moment when *his majesty and all neutral nations are threatened with such an extension of the belligerent pretensions of his enemies*, he cannot enter into the stipulations of the present treaty, without explanation from the United States of their intentions, or a reservation on the part of his majesty in the case above mentioned, if it should ever occur.

"The undersigned, considering that the distance of the American government, renders any immediate explanation on this subject impossible, and animated by a desire of forwarding the beneficial work in which they are engaged, are authorised by his majesty to conclude the treaty without delay. They proceed to the signature under the full persuasion that before the treaty shall be returned from America with the ratification of the United States, the enemy will either have formally abandoned or tacitly relinquished his unjust pretensions; or that the government of the United States, by its conduct or assurances, will have given security to his majesty that it will

not submit to such innovations in the established system of maritime law: and the undersigned have presented this note from an anxious wish that it should be clearly understood on both sides, that without such an abandonment on the part of the enemy, or such conduct on the part of the United States, HIS MAJESTY WILL NOT CONSIDER HIMSELF BOUND, BY THE PRESENT SIGNATURE OF HIS COMMISSIONERS, TO RATIFY THIS TREATY, OR PRECLUDED FROM ADOPTING SUCH MEASURES AS MAY SEEM NECESSARY FOR COUNTERACTING THE DESIGNS OF HIS ENEMY.

"The undersigned cannot conclude, without expressing their satisfaction on the prospect of accomplishing an object so important to the interests and friendly connection of both nations, and their just sense of the conciliatory disposition, manifested by the commissioners of the United States, during the whole course of the negociation.

(Signed,)

VASSAL HOLLAND.
AUKLAND.

To JAMES MONROE, &c. &c. &c.
WILLIAM PINKNEY, &c. &c. &c.

However exceptionable the terms of this note may be, I cannot persuade myself that it justifies the rejection of the treaty without consulting the senate. Men of powerful minds defend the procedure. Their arguments have never convinced me. To the reader's judgment I submit the subject.

Separation of the States.

The next error of Mr. Jefferson's administration, involves a very great neglect of duty. During nearly the whole of that period, the insurrectional and treasonable doctrine of a separation of the states, was publicly advocated in some of the gazettes to the eastward, and, wonderful and shameful to tell, preached from the pulpit. These publications and sermons, having a direct tendency to the destruction of social order, and the introduction of civil war, demanded the severe animadversion of the law officers of the government. It was the incumbent duty of the President to have had the laws put in force, to repress the offences, and to punish the offenders. And if there were no law to reach the offence, he ought to have submitted the case to congress, for the purpose of supplying the defect. A re-enactment and enforcement of the sedition law were imperiously required. And the good sense of the nation would have supported a measure which the public welfare rendered so necessary. It may be fairly averred that there is no country in the world but the United States, in which an open attempt to subvert the government, and tear down the pillars of society, would have escaped condign punishment. Every society ought to possess within itself, and to exercise whenever occasion calls for it, the fundamental principle of self-preservation.

It is impossible to censure too highly the error here adverted to. The jeopardy in which the nation was lately placed,

when our nearest and dearest interests were in the most imminent danger, may be fairly ascribed to this most fatal and pernicious misconduct. In every science there are some great, leading truths which cannot be controverted. And in political economy there is no maxim more indubitable than this, that *[illegible] treason never was, and never will be—and in truth h[illegible] can be propitiated by forbearance.* Since the world w[illegible]ed never did a conspiracy meet with the same degree of impunity. "Our Palinurus slept at the helm." The mutineers had full scope for their activity. They made their arrangements at leisure, as undisturbedly as if they were engaged in promoting the salvation of the state. To whatever cause this neglect may be ascribed, whether to torpor, inactivity, or reliance on the good sense of the nation, it casts an indelible stain on the administration of Mr. Jefferson.

The last of the errors of that administration which I shall notice, arises from its neglect of enforcing

The Embargo,

Which was a most efficient weapon for procuring redress from England. Its effects upon her colonies by privations of the necessaries of life—and upon her trade and naval power, by withholding supplies of raw materials and naval stores, were very considerable. And had it been duly enforced, as the duty of the chief magistrate required, it could hardly have failed to impel the British to relinquish those pretensions, which so highly and perniciously infringed our rights. But it was openly and flagitiously violated; and of course its intended operation on England utterly counteracted. It became a mere *brutum fulmen.* Its effects on this country were highly pernicious. While it curtailed the trade and profits of the fair trader, it enabled smugglers, and those who set the laws of their country at defiance—whose god was gain, to make rapid and unhallowed fortunes. In a word, it sacrificed the interests of some of the best, to those of the very worst members of the community. In proportion as a citizen held the laws sacred—in proportion as he honestly yielded them obedience—in the same proportion did he sacrifice his interests. And by this political arithmetic, in proportion as he disregarded the law—in proportion as he sacrificed the public interest to his thirst of gain—in the same proportion did he aggrandize himself. The export trade, which was fraudulently carried on to a considerable extent, was wholly in the hands of persons of the latter description. Their vessels, laden with abundant supplies for the British

colonies, were very conveniently driven to sea by westerly winds, and forced into the West Indies.

It has been said, in vindication of Mr. Jefferson, that he had not sufficient power to enforce the execution of the law. This is utterly incorrect. His powers were amply adequate for this purpose. But even if this defence were valid, it exonerates him not from the high degree of censure attached to this dereliction of duty. He ought, in that case, to have stated the defect to congress, who had the power of applying, and undoubtedly at his requisition would have applied a remedy.

Besides the non-enforcement of the embargo act, there was a radical error committed by the government in continuing it so long. Its inadequacy to effect the purpose its friends had contemplated, was fully established. And, failing that, its effect was to punish ourselves for the lawless proceedings of others. It ought to have been considered principally as a preparation for war.

The measure substituted for the embargo, that is, the non-intercourse with both belligerents, has been generally regarded by the democrats as a feeble one: and the tenth congress, which made the change, has been on that ground stigmatized by them almost universally, as imbecile and contemptible. This is a most egregious error. It is inconceivable how it could have found such general credence. The non-intercourse law was as bold, as manly, and as energetic a measure as the annals of Christendom can produce for a century. An infant nation, with five or six frigates, and a number of gun-boats, forbids the entrance into her ports, under penalty of confiscation, to the vessels of the two most powerful nations in the world; the one absolute by land—the other by sea, and owning a thousand vessels of war! and this is, forsooth, a measure dictated by imbecility! The human mind can hardly conceive a greater instance of folly.

CHAPTER IV.

Bank of the United States. Miserable policy not to renew the Charter.

Among the great sins of the democratic party, must be numbered the non-renewal of the charter of the Bank of the United States. This circumstance injuriously affected the

credit and character of this country abroad—produced a great degree of stagnation, distress, and difficulty at home—and was among the causes of the late embarrassments and difficulties of the pecuniary concerns of the country. Had this bank been in existence, its capital might readily at any time have been increased by congress, ten, twenty, thirty, or forty millions, so as to aid the government most effectually, and support the national credit.

To the renewal of the charter there were various objections offered, on the ground of inexpediency; but these had not much influence—nor were they entertained by many of the members. The grand difficulty arose from the idea so steadily maintained by most of the democratic party, that the constitution imparted no power to grant charters of incorporation. Many of the members who on this ground voted in the negative, most unequivocally admitted the *expediency* of the renewal of the charter.

This constitutional objection was obviated, it would appear, unanswerably. All the departments of the government, legislative, executive, and judiciary, had recognized the institution, at various times during the twenty years of its existence.

☞ *The courts of different states, and of the United States, had sustained various suits brought by the bank in its corporate capacity*—by which, so far as depended upon the judiciary, it had had the seal of constitutionality stamped on it. This was a very serious, important, and decisive circumstance.

In addition to this, a democratic legislature of the United States had given it a most solemn sanction. In March, 1804, an act had passed to authorize the institution to establish branches in the territories of the United States, which power was not embraced by the original charter. ☞ *This act was passed without a division, when nearly all the members were present.* No constitutional objection could have been then suggested; for such members as believed the measure unconstitutional, would indubitably have called for the yeas and nays, in order to record their dissent.

The act was signed by Nathaniel Macon, speaker of the house of representatives; Jesse Franklin, president of the senate; and Thomas Jefferson, president of the United States.

These cases, with others which might be cited, produced this dilemma. They either, as I have stated, afforded a complete recognition of the constitutionality of the charter, or a gross, palpable violation of the constitution, by the three several grand departments of the government.

I presume it cannot be doubted, that if a charter of incorporation be unconstitutional, every extension of the powers of the corporate body must be equally unconstitutional—perhaps I might go so far as to assert that every act recognising the charter is in the same predicament. But it is not necessary for my purpose to proceed thus far.

It therefore irresistibly follows that every member of congress who voted for the act of March 1804, and afterwards voted against a renewal of the charter, merely on the grounds of unconstitutionality, was guilty of a manifest, if not a criminal inconsistency.*

A circumstance connected with this transaction, rendered the impropriety of the rejection of the application of the bank for a renewal of its charter, still more striking and palpable. The government till the year 1802 held 2200 shares of the stock, which they sold to Sir Francis Baring at 45 per cent. advance, whereby they made a clear profit of $322,600 beyond the par value. Those who purchased of Mr. Baring, and held the stock till the dissolution of the bank, lost all this sum, exclusive of a considerable difference between the dividends and legal interest on the purchase money. They could never have entertained any doubt of the continuance of the charter. They must have conceived it to be as permanent as that of the bank of England. Had they supposed otherwise, they would not have bought at so great an advance. And it would not be easy to satisfy the candid and impartial, that our government could with propriety or justice, make such profit out of their ignorance and their confidence in its integrity and fairness.

CHAPTER V.

Armistice proposed by Admiral Warren.

The next of the errors of Mr. Madison's administration, that I notice, is the refusal of the armistice offered by admiral Warren, on the 12th of September, 1812, nearly three months after the declaration of war.

Never, probably, was war more just. Never had a country more patiently borne the most humiliating accumulation of outrage and injury than the United States had done. Her character had in consequence fallen in the estimation of mankind. She was universally presumed to be so lost in the

* For further details on this subject, the reader is referred to "Seven letters to Dr. Seybert on the renewal of the charter of the Bank of the United States." By M. C.

sordid pursuit of gain, as to be callous to outrage, to insult, and to contumely. She had appeared to have forfeited all regard to national honour and dignity. Her mendicant ambassadors had been, for years, in vain suing for justice and forbearance at the portals of St. James's palace. The pusillanimity of the government had become a subject of reproach to the federalists—of shame to the democrats. And it was a bye-word among the opposers of the administration, that it "could not be kicked into war." This genteel expression was used in congress by Mr. Josiah Quincey, and was quite common out of doors.—It is impossible to forget the torrents of reproaches heaped upon the cabinet at Washington, on this ground. The pusillanimity and cowardice of the federal administration furnished an inexhaustible fund of rhetorical embellishments to flowery speeches innumerable.

The declaration of war was therefore really as just as any similar document from the days of Nimrod. The expediency of it was, however, not equally clear. The risk was immense. It was putting to hazard the vital interests of eight millions of people, on the very uncertain chances of war. Yet I do not pretend to decide the question of expediency in the negative; for let it be observed, that every argument against this war, would apply with nearly equal force against resistance to any degree of insult, outrage, and injury from England; as the chief arguments against its expediency, are predicated upon the immense naval force of that nation, and her consequent means of inflicting incalculable injury upon the United States: and whatever cogency there may be in these arguments, would equally exist let the injuries sustained be what they might.

But whatever might be the justice, necessity, or policy of the war, it was a great error, when the orders in council were repealed, and an armistice offered by the British government, not to accept it. Negociations for the removal of the rest of our grievances might have taken place; and would undoubtedly have been conducted under more favourable auspices, than those that preceded them; for England having discovered that she had calculated too far on our passiveness, would have been far more disposed to do us justice.

Unfortunately the proposition was rejected—a rejection pregnant with most injurious consequences to us and our posterity.*

* Candour and justice to Mr. Madison require that I should state that he offered to agree to an armistice with Sir John Borlase Warren, on condition that the practice of impressment should be suspended during the nego-

When the preceding article was written, I had not sufficiently examined the celebrated repeal, as it is styled, of the orders in council, which is very different indeed, from what I

ction. From the letter of the Secretary of State to Sir John on this subject, I annex an extract—

"The claim of the British government is to take from the merchant vessels of other countries, British subjects. In the practice the commanders of British ships of war often take from the merchant vessels of the United States, American Citizens. ☞ *If the United States prohibit the employment of British subjects in their service, and enforce the prohibition by suitable regulations and penalties, the motive to the practice is taken away.* ☞ It is in this mode that the President is willing to accommodate this important controversy with the British government: and it cannot be conceived on what ground the arrangement can be refused.

"A suspension of the practice of impressment, pending the armistice, seems to be a necessary consequence. It cannot be presumed, while the parties are engaged in a negociation to adjust amicably this important difference, that the United States would admit the right, or acquiesce in the practice, of the opposite party: or that Great Britain would be unwilling to restrain her cruisers from a practice which would have the strongest tendency to defeat the negociation. It is presumable, that both parties would enter into the negociation with a sincere desire to give it effect. For this purpose it is necessary that a clear and distinct understanding be first obtained between them, of the accommodation which each is prepared to make. ☞ *If the British government is willing to suspend the practice of impressment from American vessels, on consideration that the United States will exclude British seamen from their service, the regulations by which the compromise should be carried into effect, would be solely the object of negociation.* The armistice would be of short duration. If the parties agreed, peace would be the result. If the negociation failed, each would be restored to its former state, and to all its pretensions by recurring to war.

"The President desires that the war which exists between the two countries should be terminated on such conditions as may secure a solid and durable peace. To accomplish this great object, it is necessary that the great subject of impressment, be satisfactorily arranged. ☞ *He is willing that Great Britain should be secured against the evils of which she complains.* He seeks, on the other hand, that the citizens of the United States should be protected against a practice, which, ☞ *while it degrades the nation, deprives them of their rights as freemen, takes them by force from their families and country into a foreign service, to fight the battles of a foreign power, perhaps against their own kindred and country.*"* These proposals were perfectly fair and honourable—and it is to be lamented that Sir J. B. Warren's powers were not extensive enough to allow him to accept them: but as they were not thus extensive, it is equally to be lamented that the suspension of impressment was insisted on.

As this is a most important feature in our public proceedings, it is proper to state further, that so sincerely desirous was Mr. Madison to close the breach, that on the 26th of June 1812, only eight days after the declaration of war, he authorised Mr. Russel to make the same proposition to the government of Great Britain. The communication was made to lord Castlereagh by Mr. Russel, in the following words:

London, August 24th, 1812.

"As an inducement to Great Britain, to discontinue the practice of impressment from American vessels, I am authorised to give assurance,

* Message of the President to Congress, Nov. 4, 1812.

had conceived it. It is liable to strong objections, which I believe have never been fully stated, and of which the public are not probably aware. To enable the reader to comprehend my meaning, and to form his own opinion correctly on a point of such great magnitude, independent of any impression to be made by my statement, I annex the paragraph of the instrument to which I allude, and which I am confident never was generally understood or attended to.

"His royal highness is hereby pleased to declare, in the name and on the behalf of his majesty, that nothing in this present order contained shall be understood to preclude his royal highness the prince regent, IF CIRCUMSTANCES SHALL SO REQUIRE," [mark these words, reader—"*if circumstances shall so require,*"] "*from restoring, after reasonable notice, the order of the 7th of January,* 1807, *and 26th of April,* 1809, *or any part thereof, to their full effect;* OR, from taking such other measures of retaliation against the enemy, as may appear to his royal highness to be just and necessary."

This is a most extraordinary clause. The prince regent has received an authenticated document, containing the repeal of the Berlin and Milan decrees, on which he deems himself bound to repeal the orders in council. But in the instrument which he issues on the subject, he expressly reserves the right of restoring those orders, "*if circumstances shall so require.*" On these "*circumstances*" he, of course, is to decide. These "*cirumstances*" are wholly independent of "*retaliation*"—as provision is made in the subsequent part of the paragraph expressly for "*retaliation*" in a distinct clause. It therefore appears that the orders in council were, in strict technical language, *never repealed.* They were merely *suspended* till "circumstances should require" their revival.

No candid reader will deny that the above is fair reasoning. This, therefore, cannot be regarded as a "*repeal,*" in the sense in which this nation had a right to expect the orders in council to be "*repealed*" according to the British pledge, to proceed *pari passu* with the repeal of the French decrees. The orders in council might have been "*restored*" in one month, after the date of this instrument, according to its tenor, "*if circumstances should have so required,*" without our government having any just reason to complain of breach of faith on the part of that of Great Britain. There never was a public document more cautiously worded. And had it

that a law shall be passed (to be reciprocal,) to prohibit the employment of British seamen, in the public or commercial service of the United States.

"It is sincerely believed, that such an arrangement would prove more efficacious in securing to Great Britain her seamen, than the practice of impressment, so derogatory to the sovereign attributes of the United States, and so incompatible with the personal rights of her citizens."

This proposition was rejected.

arrived here previous to the declaration of war, this country would have been perfectly warranted in refusing to regard it as a repeal. To meet and to fulfil the idea held out in the previous pledges of the British government, the repeal ought to have been unconditional, except the reservation of a right to renew the orders in council in the one specific case of the revival of the French decrees.

It is a remarkable fact respecting this repeal, that in the debates upon it in the British parliament, the mighty wrongs inflicted by the orders in council upon this country formed hardly any part of the reasons whereon the adoption of the measure was urged. Even Mr. Brougham, the powerful opponent of the orders, and the mover of the address for their "*repeal*," founded his arguments, in his published speech, wholly on the injurious effects experienced in England by the loss of our trade. It is true, he once glances at the injustice of the orders, but it is very slightly and merely incidentally. He does not boldly and magnanimously expose them to reprobation on the ground of the violation of our rights, as Mr. Baring had done in his celebrated pamphlet.

But ☞ *as the president admitted the instrument to be a repeal*, it was, I repeat, to be deeply regretted, that he did not accept the armistice, and trust to subsequent negociation for redress on the subject of impressment. His admission of it in that point of light, precluded him from employing the solid objection to which it was liable.

CHAPTER VI.

Appointment of Mr. Gallatin as Minister to treat with Great Britain. Negociation at Gottenburg. Recent neglect of due Preparations.

The appointment of Mr. Gallatin as minister to treat with the court of St. James, was a very considerable error. This gentleman has had the reputation, probably with justice, of being one of the ablest financiers in this country. For twelve years, he had presided over the financial concerns of the nation, during which period, moderate talents were adequate to the duties of that station. But a crisis had arrived when the abilities of a Colbert, or a Sully, or a Ximenes, might be necessary; and most injudiciously and indefensibly he was then despatched to a another hemisphere; and the duties of his devolved *ad interim* on another officer, whose proper official duties require all his time and all his talents.

This measure was highly preposterous. It was incorrect in the president to confer, it was equally incorrect in the secretary to receive, the appointment. It was the less defensible, from the circumstance, that nearly all the democrats in the United States had, in 1794, utterly disapproved of, and declaimed against, the appointment, by General Washington, of Judge Jay, to negociate a treaty with Great Britain, pending his continuance as a judge. It is moreover obvious, that the absence of one judge cannot produce any material inconvenience; as there are always others to supply his place. But there are high and responsible duties attached to the office of secretary of the treasury, which can never, without very great impropriety, be devolved on a deputy. I pass over all but the transcendent one of remitting fines and forfeitures, too high a power probably to be trusted to any individual whatever, not excepting even a secretary himself.*

Negociation at Gottenburg.

At a period when it was of immense importance to the United States to close the war as speedily as possible, the president had the alternative of London or Gottenburg as the scene of negociation. We had been unfortunate by land, through treason, incapacity, or some other cause. It was our interest to accelerate—it was that of the British to procrastinate the negociations. The chances from delay were much in their favour. War is, morever, a component part of their system. Ours is calculated for peace. These observations acquired treble force from a reflection on the disaffection of the Eastern portion of the union, and its aversion to the war. Of course, we ought to have shunned every thing that might cause delay. It was therefore most extraordinary and unaccountable that the president should have chosen Gottenburg in preference to London, under all the obvious delays resulting from the necessity that would probably arise, or be pretended, to consult the court of St. James's, by the ministers of that court. It appears almost as absurd as it would be to choose the Havanna, or Port Royal, were the negociations to be conducted on this side of the Atlantic. This was the more erroneous, from the consideration that the fate of large portions of our territory, and the lives of hundreds of valuable citizens, might depend upon the delay of a single day.

* See the luminous essays on this subject by W. B. Giles, esq. which are replete with the most convincing and unanswerable arguments.

Shortly after the annunciation of the choice of Gottenburg, there was a paragraph published here, extracted from a London news-paper, stating that twenty mails were then actually due from that place at London, owing to the continued prevalence of adverse winds. This was an unanswerble proof, if any were necessary, of the impropriety of the choice of Gottenburg.

Recent neglect of due Preparations.

Under this head, the president and the heads of departments were still more culpable than under any of the former ones.

From the period of the downfall of Bonaparte, and the complete triumph of Great Britain and her allies, it was obvious to the meanest capacity that her powers of annoyance had increased prodigiously. The immense forces raised to aid the coalition against France were liberated from all employment but against us. And of the disposition of England to continue the war, we had the most convincing indications. The British newspapers were replete with denunciations of vengeance against us, and with statements of immense preparations for our chastisement. And to crown the whole—to remove all possible doubt on the subject—to deprive us and our rulers of all plea in justification of our torpor, and apathy, and neglect, an address was published from the lords of the admiralty to the navy, stating, as a reason for not discharging so many seamen as the return of peace in Europe might have warranted, that the war existing with this country for the maritime rights of the British Empire, rendered such a measure improper.

London, April 30th, 1814.

"The lords commissioners of the admiralty cannot announce to the fleet the termination of hostilities without expressing to the petty officers, seamen and royal marines of his majesty's ships, the high sense which their lordships entertain of their gallant and glorious services during the late war. The patience, perseverance, and discipline; the skill, courage, and devotion, with which the seamen and marines have upheld the best interests, and achieved the noblest triumphs of our country, entitle them to the gratitude, not only of their native land, which they have preserved inviolate, but of the other nations of Europe, of whose ultimate deliverance their success maintained the hope and accelerated the accomplishment. Their lordships regret the unjust and *unprovoked aggression of the* AMERICAN GOVERNMENT, in declaring war upon this country, after *all the causes of its original complaint had been removed*, does not permit them to reduce the fleet at once to a peace establishment. But as the question now at issue in this war, *is, the maintenance of those maritime rights, which are the sure foundation of our naval glory*, their lordships look with confidence to that part of the fleet which it may be still necessary to keep in commission, for a continuance of that spirit of discipline and gallantry, which has

raised the British navy to its present pre-eminence. In reducing the fleet to the establishment necessary for the *American war*, the seamen and marines will find their lordships attentive to the claims of their respective services. The reduction will be first made in the crews of those ships which it may be found expedient to pay off; and from them the petty officers and seamen will be successively discharged, according to the length of their services; beginning in the first instance with all those who were in his majesty's service previous to the 7th of March, 1803, and have since continued in it. When the reduction shall have been thus made, as to the ships paid off, their lordships will direct their attention to those which it may be found necessary to keep in commission; and as soon as the circumstances of the war will admit, will bring home and discharge all persons having the same standing and periods of service, as those discharged from the ships paid off; so that in a few months the situation of individuals will be equalized; all men of a certain period of service will be at liberty to return home to their families; and the number which it may be still necessary to retain, will be composed of those who have been the shortest time in the service. An arrangement in itself so just, cannot, in their lordships' opinion, fail to give universal satisfaction; and they are induced to make this communication to the fleet, because they think that the exemplary good conduct of all the petty officers, seamen, and marines, entitles them to every confidence, and to this full and candid explanation of their lordships' intentions. Their lordships cannot conclude without expressing their hope, that the valour of his majesty's fleets and armies will speedily bring the American contest to a conclusion, honourable to the British name, safe for British interests, and conducive to the lasting repose of the civilized world.

"By command of their lordships.

"J. W. CROKER."

Notwithstanding these symptoms of a near approaching hurricane, a delusion almost universally prevailed through the nation, of which it is hardly possible to produce a parallel. Numbers of our most enlightened citizens, knowing that the restoration of peace had removed all the ostensible causes of war, and placing full reliance upon the magnanimity of Great Britain, predicated all their arrangements on a speedy and honourable peace. Purchases and sales of property to an incalculable amount, were made under this soothing expectation. And we were lulled into a state of the most perfect security, as if all our dangers had utterly subsided—the temple of Janus were about to be closed—and every man were to convert his sword into a plough-share.

To such a degree was this infatuation carried, that authentic information of the sailing of hostile armaments produced no effect to diminish it. We were gravely told, that it was quite in character for nations to assume an energetic and formidable attitude when they were negociating; that the expense to England of sending these armaments was inconsiderable; that they would be recalled as soon as a treaty was signed; and in fine that she was too magnanimous to take advantage of the existing state of things—with ☞ *an endless variety of arguments and assertions, equally profound, convincing, and cogent.*

There were infinite pains taken by the friends of England

in this country, to foster and extend this delusion. Their efforts were crowned with the most complete success. The nation fell into the snare with a degree of credulity that afforded a practical commentary on our pretensions to illumination superior to the rest of the world.

These deceits were varied with an address and industry, worthy of a better cause. They assumed every shape from an humble six-penny paragraph, extracted from a London paper, to an important public document. Extracts of letters innumerable, from "*eminent merchants*" in London, Liverpool, and Glasgow, to merchants of *equal eminence* in Boston, New-York, Philadelphia, and Baltimore, were published with most confident assurances of the immediate appointment of commissioners, to negociate with ours, on terms comporting with the magnanimity of England, and perfectly honourable to the United States. Letters were said likewise to have been received from Mr. Gallatin, full of assurances of peace, which Great Britain would grant on terms more favourable than when she was pressed by the power of Bonaparte. All these tales, how wild or extravagant soever, were greedily caught at and believed by our citizens, as they flattered and coincided with their ardent desire for peace. So justly sings the poet,

"What we wish to be true, we are fond to believe."

Several times we were deluded with information that Admiral Cochrane had received despatches announcing an approaching armistice, and his consequent recall from the American station. In a word, no pains were spared to lead us into a most profound sleep; and the opiates operated most powerfully.

During all this deceitful calm, through which every man of discernment might readily and unerringly foresee the approaches of a fearful storm—as every indication from England, deserving of credit, portended a long, a desperate, and a vindictive warfare; the government of the United States took no measures to dispel the delusion. In vain the public looked to Washington for information on the prospect of affairs. All was there profoundly silent. Government must have had all the information on the subject that was in this country: and it was their incumbent duty to have disseminated abroad the result of their intelligence; that the public might regulate their proceedings, and predicate their measures on rational and prudential calculations. But this imperious duty was, I venture to assert, utterly neglected. There was not a line of official communication on the subject,

And nothing appeared in the National Intelligencer, that strongly marked either a probability of peace, or of a continuance of the war. As far, however, as conclusions could be drawn, from that semi-official paper, they warranted much more the hope of a restoration of peace, than fear of the contrary.

This conduct, on the part of the administration, was to the last degree culpable. It was a dereliction of duty that exposed our citizens to ruinous consequences. The Philadelphians were among the most deluded portion of the people of the United States. There were no preparations made for defence except the embodying a number of volunteer corps, very inefficient indeed to protect us. As I shudder to think what might have been the consequences, had the enemy assailed us while we were thus napping in a state of stupid and most irrational security.

The crash of the conflagration at Washington, awaked us out of our slumbers, and dispelled the delusion.—We were then aroused to a full sense of our dangerous situation, and of the folly and supineness that had caused it. We went manfully to work—and in a few weeks made such preparations as renewed public confidence, and promised fair to enable us to repel the enemy, should he make his appearance.

CHAPTER VII.

General Wilkinson and General Hampton. Proceedings of Congress. Lamentable torpor, delay, and indecision. Neglect of public opinion.

In military affairs, when combined operations are undertaken, it is indispensably necessary, in order to insure success, that a good understanding should prevail between the commanders who are to co-operate. A want of due attention to this obvious dictate of prudence and common sense, has caused the failure, among various nations, of expeditions of the utmost importance. It is one of those plain rules, which can hardly escape the discernment of a man of even mediocre capacity.

Nevertheless, the northern campaign of 1813, was intrusted to Gen. Wilkinson, and Gen. Hampton, between whom existed a high degree of hostility, which was sufficiently well known, to have pointed out the absurdity of the procedure. The issue of the campaign was disastrous. And it is

not improbable that a large portion, perhaps the whole of the disaster, arose from the neglect of a rule so very rational, that it is astonishing how it could have been overlooked.

Proceedings of Congress.

Among the grievous sins of the ruling party, I know of none much more culpable than the shocking and miserable mode in which the proceedings of Congress are managed.—Whatever may be the urgency of the public business, how ruinous soever may be delay, it appears utterly impossible to inspire that body with a due degree of energy or promptitude. Week after week, and month after month, pass over—and the public anxiously, but in vain, expect remedies to be applied to the disorders of the state. To a most culpable spirit of procrastination, and the itch of speaking, this wretched waste of time and neglect of the public embarrassments may be fairly traced.

Two or three powerful *orators* on each side take a comprehensive view of a subject. They exhaust it completely. They are followed by a crowd of *speakers*, who are unable to throw any new or important light on it—and whose speeches stand in the same relation to those of the early orators, that a hash warmed over a second or third time does to the original noble sirloin, of whose fragments it is formed. And thus is the money of the nation expended, and its hopes frustrated, merely that Mr. A, and Mr. B, and Mr. C, and Mr. D, may have an opportunity of making long speeches to prove to their constituents how wisely they have selected representatives!

I have not before me the debates of the British parliament—and therefore cannot with full confidence state what is actually their mode of proceeding. But it is strongly impressed on my mind, that they generally decide on questions at one sitting. This at least I can aver with the utmost certainty, that many of the most momentous questions, involving the interests of 20,000,000 of people,* have been thus decided, after a debate from three o'clock in the afternoon, till three or four in the morning. And in the debates on these subjects, some of the greatest men in Europe have displayed their talents on both sides—Erskine, and Fox, and Grey—Pitt, and Burke, and Wyndham. Whereas one of our *speechifiers* will sometimes occupy eight, ten, or twelve hours, sometimes two days, with a single speech.

A large portion of the people of this country have taken

* Including its East India possessions, the above is the number of the subjects of the British Empire.

opposite sides respecting England, its manners, and its customs. One party admires and copies—the other censures and despises almost every thing British.—They are both in equal error. England presents much to admire and imitate—much to censure and avoid. It is highly desirable we should imitate her in the management of her parliamentary proceedings.

As respects the business of Congress, a remedy ought to be applied immediately. The debates ought to be limited within reasonable bounds. When they have been extended far enough, they ought to be terminated by the previous question, notwithstanding the clamour and outcry of the minority. And whenever the emergency of the case requires promptitude, the sitting ought to be continued till the subject is decided, unless its complication and difficulty may render an adjournment necessary.

What a lamentable prospect the country exhibited at the moment I wrote these lines! It was the sixth of December. Congress had been in session nearly three months.—They found the credit of the government laid prostrate—the seaboard exposed to depredation—the pay of the army in arrears—and every thing in a situation that was calculated to excite energy and decision among a nation of Sybarites. And what was the result? There had probably been one or two hundred flowery speeches made—amendments and postpostments innumerable—and only two important acts passed—one for borrowing three millions of dollars—and the other for buying or building twenty schooners.

To those who were actuated by a sincere regard for the welfare and safety of their country, these proceedings were a source of the most poignant uneasiness. They were utterly unaccountable, and irreconcilable with the plainest dictates of reason and common sense. Laying aside all considerations of public spirit or patriotism, a due regard to personal interest and personal safety, ought to have prescribed a totally different line of conduct.

The majority endeavoured to shelter themselves by censuring the minority who made those long speeches for the purpose of embarrassing them, and protracting their debates and proceedings. This plea would not stand examination. Were it valid, a minority of six or eight persons, possessed of the faculty of making "*long talks*," might at all times totally baffle a majority, and paralize the motions of the government. Suppose each member of the minority to make a speech of a day or two on every subject that arose for discussion—allow a reasonable time for replication to the majority—and the whole year would be inadequate for that

portion of business which the British parliament would with ease despatch in a month.

Besides the delay arising from the displays of oratory which I have stated, there is another source of delay, equally injurious. Private and trifling business obtrudes itself on the attention of congress, and occupies a large portion of the time which is loudly called for by the important affairs of the nation. The former ought to be postponed till the other is all despatched.

Here I must notice one particular case, of the most extraordinary kind that ever occupied the attention of a public body. Never was there a greater mockery of a deliberative assembly. A stud horse, called Romulus, belonging to a Mr. David Dardin, was impressed by a continental officer, in the year 1781. Having been valued at 750 pounds specie, General Green returned him, on account of the extravagant price. He was afterwards taken by another officer, and never returned. His widow, Mrs. Amy Dardin, has been a very assiduous applicant to congress for remuneration from that period; and the subject has at various sessions, occupied a large portion of the time of that body. The wages of congress, during the time of the debates, would, I am persuaded, purchase horses for the best appointed regiment of dragoons in Christendom. A worthy member from Virginia used to ride Romulus into congress in great state, every year during his life. He is now no more. Who has been appointed "master of the horse" in his place, I cannot decide. But that he has a successor, is beyond a doubt; for Dardin's horse was curvetting and prancing as usual, even during the late very important session.

A gentleman to whom I mentioned this circumstance, informs me that in the years 1802 and 1803, there were two pamphlets published on this subject at the expense of the nation, *for the use of the members*, the cost of which would perhaps have paid for the horse.

To render this procedure more culpable, as well as more farcical, the senate of the United States were on the 7th or 8th or 9th of February, 1815, when every moment of their time was inexpressibly invaluable, gravely debating a bill for the remuneration of Mrs. Dardin! And they were then within a month of the close of their session—and had made no provision for the defence of our cities, liable to hourly destruction, nor for the restoration of public credit! The mind is lost in the most profound astonishment at the contemplation of such a futile, such a puerile mode of managing public business. I am mistaken if the annals of legislation can produce any parallel.

One of two things. The claim is just or unjust. If the former, it is disgraceful and dishonourable not to have discharged it. If otherwise, it is really intolerable to have the public taxed by such importunity.

Neglect of Public Opinion.

Of all the errors of the two administrations of Mr. Jefferson and Mr. Madison, the least criminal, but probably the most pernicious in its results, is, the indifference they have displayed towards the unfounded allegations whereby they were borne down, and their reputation and usefulness destroyed. This may have arisen from an absurd reliance on the good sense of the public—or on the rectitude of their own intentions—perhaps from their indolence or inattention. It was probably founded, if it arose from either of the two first motives, upon a trite, but fallacious maxim, which antiquity hath bequeathed us—Truth is great and will prevail. Millions of times has this captivating maxim been pronounced; and it is almost universally admitted as incontrovertible. Yet the history of the world in almost every page bears testimony to its fallacy. Truth, unaided by industry, and activity, and energy, combats at very unequal odds against falsehood, supported by these auxiliaries. That truth, "other things being equal," is an overmatch for falsehood, I freely grant. But the friends of the former, if they rely wholly on its intrinsic merits, and do not exercise a due degree of vigilance, will be miserably deceived in their calculations.

A supposed case in point. A matron is charged with having been seen entering a brothel in the face of day, with a notorious seducer. The story spreads. It is universally believed. Her character is destroyed. She is shunned as contaminatory. Six months afterwards, she produces a host of unexceptionable witnesses to prove an alibi. They establish incontrovertibly, that at the time stated, and for months before and after, she was in China or Japan. It is in vain. Her character is gone. The waters of the Atlantic would not purify her. She pays for her neglect and her folly, the mighty forfeit of a destroyed reputation.

Thus has it been with the administrations of Mr. Jefferson and Mr. Madison. They have been charged with criminal conduct, frequently of the most flagrant kind. The charges have been passed over in silence for a considerable time. Not being denied, they were presumed to be admitted. And in fact, how can the public determine, whether silence under accusation arises from conscious guilt, a reliance upon

conscious rectitude, or an absurd and criminal neglect of public opinion?

I say, "*a criminal neglect of public opinion.*" This declaration is not lightly hazarded. The character of a public officer is in some sort public property. A private person may allow his to be destroyed, perhaps without inflicting misfortune on any person but himself. But the destruction of that of a public officer is really a public injury—as it materially impairs, if it does not destroy, his usefulness.

There is in the history of General Washington, a circumstance which appears a departure from the sound, masculine good sense that almost universally presided over his conduct. During the revolutionary war, some of the British ministries published a collection of letters ascribed to him, which were partly genuine, but interpolated with forgeries, and partly letters altogether forged. They were calculated to inspire strong doubts of his attachment to, and confidence in the revolution. They were edited by a masterly pen.

The attack was unavailing. The attachment to, and confidence in, the general, were unimpaired. The pamphlet sunk into oblivion.

In the year 1795, during the discussion excited by Jay's treaty, it was reprinted as a genuine collection, and had an extensive circulation. General Washington did not at the time notice it. He allowed it to take its course, apparently indifferent as to the consequences. But at the close of his public functions, he recorded in the office of the secretary of state a formal declaration of the forgery. I feel convinced the procedure was injudicious. If the pamphlet were entitled to any animadversion, the proper period was when it was republished, and of course when it would produce all the effect that could result from it on his public character.

The instances of neglects of this kind on the part of Mr. Jefferson and Mr. Madison, are numberless. I shall only instance two. A charge was alleged against the former, of having sent two millions of dollars to France for some secret and sinister purpose, which I cannot now recollect. It had been in universal circulation throughout the union, without any formal or satisfactory contradiction, for months. At length, after it had done all the mischief it was calculated to produce, an authentic documental disproof crept out, ☞ *exactly like the lady's alibi, and* ☞ *with the same effect.*

One other instance, and I have done with this part of my subject. The offer of the Russian mediation was made by M. Daschkoff in March, 1813. Mr. Pickering in Boston, shortly afterwards published a series of letters on the subject, which were republished in almost every town and city of the

United States. He openly and unqualifiedly asserted that the whole transaction was a fraud and imposture—solely calculated to delude the citizens into subscriptions for the pending loan.—He denied the offer of mediation altogether: and boldly referred to M. Daschkoff, and to Dr. Logan, to prove his statements correct. If ever an accusation demanded attention and disproval, this was of that description. It was advanced under his own signature, by a man who had held high official stations, and who possessed very considerable standing with the opposers of the government. But the same fatal and unpardonable neglect prevailed as in so many other instances. The allegation was allowed to produce its full effect without any other attempt at counteraction, than a few anonymous paragraphs of denial.

To render this error more palpable, a motion was made in the senate of the United States, on the 2d of June, 1813, for a disclosure of the correspondence, of which the government ought to have gladly availed itself. But it was rejected.

At length, when the affair had in some measure sunk into oblivion, on the 18th of Jan. 1814, a motion was carried in the house of Representatives of the United States, for the publication of the correspondence on the subject. It then appeared that the whole of the charges were calumnious and unfounded—and that the transaction reflected a high degree of credit as well on the potent monarch, who took so warm an interest in our affairs, as on our government, for its prompt acceptance of the mediation. But the disclosure was too late to counteract any of the pernicious effects that had resulted from the accusation. Many persons to this day believe the whole transaction a deception.

CHAPTER VIII.

Capture of Washington. Causes. Mismanagement. Fort Washington. Trial of Captain Dyson. Extraordinary Sentence. Loans. Injury to Public Credit. Retrospection.

The Capture of Washington.

On the 24th of August, the capital of the United States was taken by the enemy. Their force was by no means of such magnitude as would have prevented the disaster from being accompanied by disgrace. Had it been overwhelming, the loss might have excited regret, but we should have been spared mortification and disgrace. But as it stands a subject for historical record, the loss, although very great, is

undeserving of consideration. Placed beside the dishonour, it sinks into insignificance like a molehill beside a mountain.

The force of the enemy is variously stated. The highest estimate is 6,000. Dr. Catlett, who had a favourable opportunity of ascertaining with precision, states it at 3,540. Every person with whom I have conversed, that saw them, has been of opinion that they were so jaded with their march, and so dispirited, that, had suitable preparations been made, they might have been easily defeated, and probably captured.

They landed at Benedict, on the 18th of August, and proceeded in a tolerably regular course towards Washington, which was the only object worthy of their attention. They were six days on their march. And there was hardly any attempt at efficient preparation made for their reception, till three or four days before their arrival at that city. The secretary at war ridiculed the idea of their attacking Washington, till within three days of the battle of Bladensburg.

One obvious plan of defence, which would have struck the mind of a mere tyro in military affairs, was to have garrisoned the capitol and the president's house, with as powerful a force as could conveniently operate there. The strength of these two buildings would have enabled the garrisons to hold out a long time, until troops could have been collected to encounter the enemy.

It is not for me to decide on whom the censure ought to fall—on the president—the secretary at war—on the district general, Winder—or on the whole together. But let that point be determined as it may, it cannot be denied, that nothing but the most culpable neglect could have led to the results that took place—results which could not fail to prove injurious to the national character in Europe, and which, had not the news of the exploits of the brave and illustrious Macdonough and Macomb, arrived there at the same time as the account of this disgraceful disaster, would have materially and perniciously affected the negociation at Ghent.

When the preceding strictures were written, I had not seen the Report of the Committee appointed to investigate the subject, which I have recently examined with attention. It is clearly established by the documents annexed to this report, that the disaster arose from a series of the most extraordinary and unaccountable mismanagement. I shall enumerate a few of the instances in brief.

Let me previously observe, that the president stands exculpated from censure in the affair; for a cabinet council was held at Washington, on the 1st of July, wherein it was resolved to establish a new military district, to comprise the

cities of Washington, Baltimore, and the adjacent country. The command of it was given to general Winder, who had explicit directions to make preparations to repel the enemy, should he make any attempt on the seat of government, which the council judged highly probable.

Among the errors committed, the following are the most prominent:

1. There was no attempt made to fortify those parts of the country calculated for defence, although General Van Ness, on behalf of the citizens of the District of Columbia, made repeated and earnest applications to the secretary at war on the subject, and although he as repeatedly promised to pay attention to their requests.

2. There was not the slightest effort to arrest the progress of the enemy, from the time of his debarkation till the day of the battle of Bladensburg, although the country through which he passed was admirably calculated for the purpose.

3. There was no camp formed equidistantly between Baltimore and Washington, so as to be able to cover and protect either or both places.

4. The troops from Baltimore were not ordered out in due season. Had the orders been, as most indubitably they ought to have been, issued at least on the debarkation of the enemy, these troops would have arrived in proper time—been fit for duty—and probably rescued the country from the disgrace.

5. The orders for the Baltimore troops to march, were received in Baltimore on Saturday the 20th of August. They took up the line of march the next day, Sunday the 21st. *On that evening they received an order from General Winder, by express,* TO HALT UNTIL FURTHER ORDERS! Next day, they had renewed orders to march with full speed to Bladensburg.—Those to General Stansbury were received at 10 A. M., and those to Colonel Sterrett at 2 P. M. The former reached Bladensburg on the 22d at night—the latter on the 23d at night. The fatal delay arising from the orders to halt, was among the principal causes of the disaster. Colonel Sterrett's corps arrived on the ground jaded, and fatigued, and harrassed. They had but little rest the night previous to the battle, owing to some false alarms, and were in every respect unfit for being led into the engagement.

6. Colonel Young's brigade, by order of General Winder, was stationed at a distance from the field of battle, where it remained inactive during the whole time of the

engagement, although within hearing of the report of the cannon.

7. An efficient corps of 600 infantry, and 100 cavalry, under Colonel Minor, arrived at Washington on the evening preceding the battle. The Colonel applied to General Armstrong for arms, and was directed to ☞ *report himself the next morning!!!* to Colonel Carberry, who had the care of the arsenal. This gentleman spent the night at his country seat, and was not to be found in the morning, although invaluable hours were spent in the search for him. At length an order for arms was procured from General Winder. Even then delay occurred, from the scrupulosity of Colonel Carberry's deputy in counting the flints—and further delay in giving receipt for them. The consequence was, that this corps, which would, almost to a certainty, have decided the fate of the day in favour of their country, began their march so late, that they had no share whatever in the action, and met the retreating army after its defeat!!!

8. Had a stand been made in Washington, and the whole force, even discomfited as it was, been collected together, there is no doubt but the loss might have been retrieved. But there was not the slightest effort of the kind made. The retreat was conducted in a disorderly manner, and as much like a flight as could be.

Throughout this work, in all important cases, I do not merely refer to my authorites, as is usually done. The reader must observe that I quote as well as refer to them. I am desirous of silencing incredulity herself. In pursuance of this plan, I submit a few short extracts from the documents published by Congress, on which the preceding views are founded.

Extracts from the letter of Gen. Van Ness to the committee of Congress, appointed to enquire into the causes of the Capture of Washington, dated Nov. 25, 1814.

"About the opening of the present campaign, I pressed again upon the secretary the subject generally of our defence; suggesting, in addition to the occlusion of the river, the convenience and *importance of a central camp, intermediate between Baltimore, Annapolis, Washington, Alexandria, Georgetown, and the neighbouring towns and country.* And in frequent interviews, (in number, to be sure, very much increased by the importunate applications and solicitations to me, of both the civil and military branches of the community, whose confidence in the secretary appeared at an early period, at best wavering, if not declining,) sometimes official, at other times not so, which I had with him, as the campaign progressed, I did not fail to repeat the suggestion. I still received assurances, generally verbal, favourable, accompanied by an otherwise apparent indifference, and confidence in our security." * * * *

"Thus had the campaign progressed, without any visible steps towards works of defence, either permanent or temporary, either on the land or the water side, *(I never having heard of a spade or an axe being struck in any such operation,)* or towards forming a rendezvous or camp of regular troops in the neighbourhood, *to the great anxiety, inquietude, and alarm, of the district and surrounding country; the secretary generally treating with indifference at least, if not with levity, the idea of an attack by the enemy.*†" * * * *

* Report, page 287. † Idem, page 288.

"In August last, when the increased and reinforced fleet, with the troops, ascended the Chesapeake, and were known, from authentic information, to have entered the Patuxent, I called on secretary Armstrong again; and expressed, as usual, my apprehensions, arising from want of means and preparations; adding, that from the known naval and reputed land force of the enemy, he probably meant to strike a serious blow. His reply was, "*Oh yes! by G—d, they would not come with such a fleet without meaning to strike somewhere: but they certainly will not come here. What the d—l will they do here?*" *&c.* After remarking that I differed very much from him, as to the probable interest they felt in destroying or capturing our seat of government, and that I believed a visit to this place would, for several reasons, be a favourite object with them, he observed, "No, no! Baltimore is the place, sir; that is of so much more consequence*." * * *

"I continued to see general Winder occasionally as before, and to be astonished at the apparent sluggishness or procrastination in the preparation for the reception of the enemy, who was on his advance. I recollect well, that even after he had, according to authentic and undoubted information, ascended to the head of the ship navigation of the Patuxent, and had, for about twenty-four hours, been debarking on the hither bank of that river, and marching his troops to their encampment on the heights of Benediet, (about 40 miles from this on the usual route,) general W. in answer to an inquiry of mine, whether he had ordered on any troops from Baltimore, and whether he thought they would be here in time, said, THAT THEY WERE ORDERED ON; AND THAT ALL HIS FEAR WAS, THAT THEY WOULD BE HERE *TOO SOON*. Expressing to him my astonishment at the apprehension, he said, he thought it very probable that the enemy would suddenly turn about, and make a blow at Baltimore†."

Extract from General Stansbury's Report.

"The men under my command were worn down and nearly exhausted from long and forced marches, want of food, and watching. *They had been, with very little intermission, under arms, and marching, from the time of their departure from Baltimore, with but little sleep, bad provisions, and but little opportunity to cook.* They certainly were not in a situation to go into battle; but my orders were positive; and I was determined to obey them.

"Before, and during the action, *I did not see any of the force I was led to expect would support me.* I understood since, they were on their way to my assistance, and I presume exertions were made to bring them up‡."

Extract from Colonel Minor's Report.

"I took up my line of march, and arrived at the capitol between sunset and dark, [Aug. 23d.] and immediately made my way to the president, and reported my arrival; when he referred me to general Armstrong, to whom I repaired, and informed him as to the strength of the troops, as well as to the want of arms, ammunition, &c. which made it as late as early candle-light; when I was informed by that gentleman, the arms, &c. could not be had that night, and *directed to report myself next morning to colonel Carberry, who would furnish me with arms*, &c. which gentleman, from early next morning, I diligently sought for, until a late hour of the forenoon, without being able to find him, and then went in search of general Winder, whom I found near the Eastern Branch; when he gave an order to the armourer for the munitions wanting, with orders to return to the capitol, *there to wait further orders*‖."

Extract from the Report of Doctor Catlett.

"Respecting the condition of the enemy's troops, I was informed by several of the British officers, that just previous to their reaching Bladensburg, (with excessive fatigue or entire exhaustion) *they were dropping off in considerable numbers; that in the action, it was only by the most extraordinary exertions that the main body could be goaded on.* Although I observed some of their flankers at times advance on the run a small distance, these were said to be only the most active of their light companies of, and attached to, their 85th regiment, commanded by lieutenant-colonel Thornton, acting as brigadier; *they appeared to me to halt, as if exhausted with fatigue, at or near the place where the firing ceased on our part*, about a mile and a half on this side of Bladensburg, about two o'clock, P. M."¶

* Report, page 292. †Idem, page 296. ‡ Idem, page 185. ‖ Idem, page 331.
¶ Idem, page 311.

Extract from the Report of the Committee of Congress on the capture of Washington.

"Our forces at this time at the Old Fields, are variously estimated, with no material difference, at about 3,000 men, in the following corps: about 400 horse, under the command of the following officers: lieut. col. Lavall, col. Tilman, captains Caldwell, Thornton, Herbert, Williams, &c.: 400 regular troops, under the command of lieut. col. Scott, viz. 36th, 38th, and capt. Morgan's company of the 12th infantry; 600 marines and flotilla-men under com. Barney and capt. Miller, with five pieces of heavy artillery—two 18 pounders and three twelve pounders: 1,600 militia and volunteers, gen. Smith's brigade of Georgetown and city militia, and Maryland militia under col. Kramer, of which there were two companies of artillery under capt. Burch and major Peter, with six 6 pounders each, making an aggregate of 3,200, with 17 pieces of artillery. *The enemy was without cavalry, and had two small field pieces and one howitzer, drawn by men; and the whole country well calculated for defence, skirmishing, and to impede the march of an enemy.*" * * * *

"The march of our army to the city was extremely rapid and precipitate, and orders occasionally given to captains of companies to hurry on the men, who were extremely fatigued and exhausted before the camping ground was reached, near the Eastern Branch bridge, within the district of Columbia."† * * * *

"Colonel George Minor, with his regiment of Virginia militia, composed of 600 infantry and 100 cavalry, arrived at the city of Washington in the twilight of the evening of the 23d; he called on the president who referred him to the secretary of war for orders; *the secretary informed him that arms could not be had that night, but gave orders to report himself to colonel Carberry, early in the morning, who would furnish him with arms and ammunition, as he was charged with that duty by gen. Winder.* From early in the morning till late in the forenoon, col. Minor sought col. Carberry diligently, but he could not be found. He rode to head-quarters, and obtained an order from gen. Winder upon the arsenal for arms, &c.; marched to the place with his regiment, and its care he found committed to a young man, whose caution in giving out arms, &c. very much delayed the arming and supplying this regiment."‡ * * * *

"The distance from Benedict to the city of Washington, by Bladensburg, is upwards of fifty miles. *The enemy was without baggage-waggons or means of transportation; his troops much exhausted with fatigue; many compelled to quit the ranks, and extraordinary exertions used to keep others in motion; and, we if unable to pursue our foes, remained on the battle ground:* the enemy's advance reached the city about eight o'clock in the evening, the battle having ended about two o'clock, or before."‖ * * * *

"The enemy, on the evening of the 25th, made the greatest exertions to leave the city of Washington. They had about 40 indifferent looking horses, 10 or 12 carts and waggons, one ox-cart, one coach, and several gigs. These were sent to Bladensburg to move off the wounded. A drove of 60 or 70 cattle preceded this party. Arriving at Bladensburg, the British surgeon was ordered to select the wounded who could walk; *the forty horses were mounted by those who could ride; the carts and waggons loaded; and upwards of 90 wounded left behind.* About 12 o'clock at night the British army passed through Bladensburg; and parties continued until morning, and stragglers until after mid-day. *The retreat of the enemy to his shipping was precipitate and apparently under an alarm:* and it is supposed that it was known to him that our forces had marched to Montgomery court-house."§ * * * *

"On the 12th of July, gen. Winder was authorized, in case of menaced

* Report, page 21. † Idem, page 23. ‡ Idem, page 26.
‖ Idem, page 34. § Idem, page 36.

or actual invasion, to call into service the whole quota of Maryland. On the 17th gen. Winder was authorized to call into actual service not less than 2,000 or more than 3,000 of the drafts assigned to his command, to form a permanent force to be stationed in some central position between Baltimore and the city of Washington. On the same day, 17th of July, gen. Winder was authorized to call on the state of Pennsylvania for 5,000 men; on Virginia, 2,000; on the militia of the district of Columbia, in a disposable state, 2,000; together with the 6,000 from Maryland, making an aggregate force of 15,000 drafted militia, 3,000 of which *authorised* to be called into actual service; the residue in case of actual or menaced invasion, besides the regular troops estimated at 1,000, making 16,000, independent of marines and flotilla-men. This was the measure of defence contemplated for the military district No. 10, and the measures taken by the war department up to the 17th of July in execution of it.*"

Destruction of Fort Washington.

One extraordinary circumstance attended this disastrous affair, which I cannot refrain from stating to the public. Fort Washington was commanded by captain Dyson, when the British took the city of Washington. He had received orders from general Winder, in case the enemy came into his rear, to blow up the fort, and retreat with his garrison. The enemy came. His orders were clear and explicit. He obeyed them—as it appears he was in duty bound.

For this act, he was brought to trial—and sentenced to be dismissed the service.

I am no military man. I know little of military affairs. I am therefore liable to error when I pronounce opinions on them. But with due deference to this court martial, whereof "brigadier general Smith, of the militia of the District of Columbia, was president," I cannot but believe captain Dyson's case to be peculiarly severe: and, judging on plain principles of reason and common sense, I think the sentence most extravagantly unjust. Were I in his situation, I would appeal to the world against such a condemnation—and "make the welkin ring" with my complaints.

Extract from the Report of General Winder.

"I sent, by major Hite, directions to the commanding officer of fort Washington, to advance a guard up to the main road upon all the roads leading to the fort; and *in the event of his being taken in the rear of the fort by the enemy, to blow up the fort, and retire across the river.*"—Report, page 172.

I wish to have it understood that I have no personal knowledge of general Armstrong, general Winder, or captain Dyson—nor do I believe I have ever seen any of them.

* Report, page 36.

Departure of General Izard from Plattsburg.

One of the most extraordinary measures of the war—a measure utterly indefensible,—has, as far as I know, almost wholly escaped censure. It affords one among ten thousand instances, to prove how seldom approbation or censure is meted out with due regard to justice.

General Izard had an army of about 8000 regulars in the neighbourhood of Plattsburg. General Prevost, at no very great distance, had the command of about 14,000 troops, principally veterans. While the eyes of the nation were directed towards that quarter, and every man interested for the honour, the happiness, the independence of his country, was tremblingly alive to the future, and filled with the most awful forebodings of a ominous result, from the fearful odds agains our little army, amazement and terror filled every breast, to find that 5 or 6000 of our troops, under the general who had directed his utmost energy to train them to service, and to acquire their confidence, were ordered to a remote situation, on an unimportant expedition, in which no laurels were, or probably could be, acquired. Thus was a most invaluable frontier exposed to all the horrors of desolation.

The annals of warfare present no instance of greater fatuity. It is difficult to conjecture what could have been the object contemplated by this wonderful movement. But whatever it might have been, had the utmost success crowned the undertaking, it could not possibly have compensated for the issue which was to be rationally calculated on at Plattsburg.

The result, however, was highly glorious to the nation. Nothing could be more fortunate. But this does not diminish an iota of the censure due to the measure.—The character of an action, good or bad, is not affected, except with the canaille,* by its success, whether prosperous or the reverse. Many of the wisest schemes ever devised have failed of success. Many of the most absurd and ridiculous have prospered. But every man whose approbation is worthy of regard, commends or reprobates a measure according to the wisdom or folly displayed in planning it.

Had general Izard's army remained at Plattsburg, and aided in the discomfiture of governor Prevost, the triumph of the United States at the Saranac would not have been so transcendently great. Their removal, therefore, how absurd

* It may be proper to state, that the true distinction of the Canaille, is not dress, or station. It is mind. There are men worth ten thousand a-year, who are of the *canaille*.

soever it was, is subject of the most serious rejoicing. It has added immensely to the laurels the nation acquired in the war.

Loans.

The last and perhaps the most grievous and unpardonable error of the democratic party—an error, pregnant with baleful consequences to the finances and credit of the country, was, depending on loans for the support of the war, and deferring the imposition of taxes adequate to erect the superstructure of public credit upon. This arose from the miserable and pernicious dread of forfeiting popularity, and losing the reins of government—a dread often the parent of the most destructive measures. The consequence of this highly reprehensible error was, that the loans were made to very considerable loss, and that the public credit of the nation was most lamentably impaired.

I HAVE now gone through a review of the principal errors and follies, the neglects and the mismanagements of the democratic party. I have detailed and canvassed them with the boldness and independence of a freeman. I have followed the sound advice of Othello:

"Nought extenuate—nor aught set down in malice."

On many of these points I am greatly at variance with men of powerful talents belonging to that party. Some of my facts and opinions have been controverted by a critic of considerable acumen, in one of the daily papers. I have re-examined the various subjects embraced in this volume; and, where I have found cause to change my opinion, I have unhesitatingly done so. My object is truth. I have pursued it steadily—and, as far as I can judge of myself, without undue bias. But I well know how difficult it is for human weakness to divest itself of prejudice and partiality. To the candid reader, I submit the decision.

This detail of misconduct has been a painful task. Far more agreeable would it have been to have descanted on the merits and talents of the president and other public functionaries. To a man of a liberal mind it is infinitely more agreeable to bestow the meed of praise, than to deal out censure. But a rough truth is preferable to a smooth falsehood. And whatever chance we have of arriving at the haven of peace and happiness, depends upon a fair and candid examination

of ourselves, which must infallibly result in a conviction, that, so great have been the errors, the follies, and the madness on both sides, that mutual forgiveness requires no effort of generosity—it is merely an act of simple justice.

Before I quit this branch of my subject, it is but proper to observe, that it is hardly possible to conceive of a more difficult and arduous situation than Mr. Jefferson and Mr. Madison have been placed in. They have had to struggle with two belligerents, one supremely powerful by land, and on that element holding in awe the chief part of the civilized world—the other equally powerful by sea:—and each, in his rage against the other, violating the clearest and most indisputable rights of neutrals, and inflicting upon us, in a time of pretended peace, nearly as much injury as if we were ranked among the belligerents. And the divisions and distractions of the country, with the formidable opposition of a powerful party, embracing all the governments of the eastern States and a considerable portion of the citizens of the rest of the union, must have caused the administration infinitely more trouble and difficulty than the two belligerents together. The federalists, as I shall show more fully in the sequel, after goading the government into resistance, and vilifying it for not procuring redress, thwarted, opposed, and rendered nugatory every rational effort made to accomplish the very object they professed to seek—a degree of madness and folly never-enough-to-be-deplored.

CHAPTER IX.

The Federalists. Federal Convention and Constitution. Complaints of want of energy in the Constitution. Disorganizers and Jacobins. Alien and Sedition Laws. Loss of Power. Change of Views.

Having thus taken what I hope will be allowed to be a candid view of the errors and misconduct of the democratic party, it remains to perform the same office for their opponents. And I feel confident, it will appear that the latter have at least as much need to solicit forgiveness of their injured country, as the former. In the career of madness and folly which the nation has run, they have acted a conspicu-

ous part, and may fairly dispute the palm with their competitors.

In the federal convention, this party made every possible exertion to increase the energy and add to the authority of the general government, and to endow it with powers at the expense of the state governments and people. Bearing strongly in mind the disorders and convulsions of some of the very ill-balanced republics of Greece and Italy, their sole object of dread appeared to be the inroads of anarchy. And as mankind too generally find it difficult to steer the middle course, their apprehensions of the Scylla of anarchy effectually blinded them to the dangers of the Charybdis of despotism. Had they possessed a complete ascendency in the convention, it is probable they would have fallen into the opposite extreme to that which decided the tenor of the constitution.

This party was divided among themselves. A small but very active division were monarchists, and utterly disbelieved in the efficacy or security of the republican form of government, especially in a territory so extensive, as that of the United States, and embracing so numerous a population as were to be taken into the calculation at no distant period. The remainder were genuine republicans, men of enlightened views, and a high degree of public spirit and patriotism. They differed as widely from the monarchic part of that body, as from the democrats. It is unfortunate that their counsels did not prevail. For it is true in government, as in almost all other human concerns—that safety lies in middle courses. Violent and impassioned men lead themselves, and it is not wonderful they lead others astray. This portion of the federal party advocated an energetic, but at the same time a republican form of government, which on all proper occasions might be able to command and call forth the force of the nation.

The following letter sheds considerable light on the views of Alexander Hamilton, who took a distinguished part in the proceedings of that respectable body.—It is obvious that a president during good behaviour, which was a favourite feature with Mr. Hamilton, could hardly be considered other than a president for life.

NEW YORK, SEPT. 16, 1803.

"MY DEAR SIR—I will make no apology for my delay in answering your inquiry some time since made, because I could offer none which would satisfy myself. I pray you only to believe, that it proceeded from anything rather than want of respect or regard. I shall now comply with your request.

"The highest-toned propositions which I made in the convention were for a *president, senate, and judges, during good behaviour*; a house of representatives for three years. Though I would have enlarged the legislative power of the general

government, yet I never contemplated the abolition of the state governments. But on the contrary, they were, in some particulars, constituent parts of my plan.

"This plan was, in my conception, conformable with the strict theory of a government purely republican; the essential criteria of which are, that the principal organs of the executive and legislative departments be elected by the people, and hold their offices by a responsible and temporary or defeasible nature.

"A vote was taken on the proposition respecting the executive. Five states were in favour of it; among these Virginia; and though, from the manner of voting by delegations, individuals were not distinguished; it was morally certain, from the known situation of the Virginia members (six in number, two of them, Mason and Randolph, professing popular doctrines) that Madison must have concurred in the vote of Virginia. Thus, if I sinned against republicanism, Mr. Madison is not less guilty.

"I may truly then say that I never proposed either a president or senate for life; and that I neither recommended nor meditated the annihilation of the state governments.

"And I may add, that in the course of the discussions in the convention, neither the propositions thrown out for debate, nor even those voted in the earlier stages of deliberation, were considered as evidences of a definite opinion in the proposer or voter. It appeared to be in some sort understood, that, with a view to free investigation, experimental propositions might be made, which were to be received merely as suggestions for consideration. Accordingly it is a fact, that my final opinion was against an executive during good behaviour, on account of the increased danger to the public tranquillity incident to the election of a magistrate of his degree of permanency. In the plan of a constitution which I drew up while the convention was sitting, and which I communicated to Mr Madison about the close of it, perhaps a day or two after, the office of president has no longer duration than for three years.

"This plan was predicated upon these bases:—1. That the political principles of the people of this country would endure nothing but a republican government. 2. That in the actual situation of the country, it was itself right and proper that the republican theory should have a fair and full trial. 3. That, to such a trial it was essential that the government should be so constructed as to give it all the energy and the stability reconcilable with the principles of that theory.——These were the genuine sentiments of my heart: and upon them I then acted.

"I sincerely hope that it may not hereafter be discovered, that through want of sufficient attention to the last idea, the experiment of republican government, even in this country, has not been as complete, as satisfactory, and as decisive as could be wished.

Very truly, dear sir,
Your friend and servant,
A. HAMILTON."

TIMOTHY PICKERING, *Esq.*

In the conflict of opinion that arose in the convention, there was a most imperious necessity for a spirit of compromise, in order to secure success to its labours.—The tenacity of some leading men, of adverse opinions, had nearly rendered the effort abortive, According to Luther Martin, Esq. one of the Maryland delegates, the convention was several times on the verge of adjournment, without fulfilling the object of their appointment. But the good fortune of the nation prevailed: and after a session of about four months, the constitution was finally agreed upon, submitted to public discussion, and joyfully accepted by the American people.

The federal party immediately took the reins, and administered the government of the United States for twelve years. During this period, its want of sufficient energy, and its danger from the state governments, were frequent subjects of impassioned complaint. Every man who opposed the measures of the administration, of what kind soever they

were, or from whatever motives, was stigmatised as a disorganizer and a jacobin. The last term involved the utmost extent of human atrocity. A jacobin was, in fact, an enemy to social order—to the rights of property—to religion—to morals—and ripe for rapine and spoil.

As far as laws could apply a remedy to the alleged feebleness of the general government, the reigning party sedulously endeavoured to remove the defect. They fenced round the constituted authorities, as I have stated, with an alien and sedition law. By the former, they could banish from our shores obnoxious foreigners whose period of probation had not expired. By the latter, every libel against the government, and every unlawful attempt to oppose its measures, were subject to punishment, more or less severe, in proportion to its magnitude.

The alien law was not, I believe, ever carried into operation. It was hung up *in terrorem* over several foreigners, who, in the language of the day, were rank jacobins, and of course enemies of God and man. But the case was far different with the sedition law. Several individuals could bear testimony from experience, to the severity with which its sanctions were enforced. Some cases occurred, of a tragicomical kind, particularly one in New-Jersey, in which the culprit was found guilty and punished, under this law, for the simple wish that the wadding of a gun, discharged on a festival day, had made an inroad into, or singed the posteriors of Mr. Adams, then president of the United States.

But every thing in this sublunary world is liable to revolution. This is proverbially the case with power in a republican government. The people of the United States changed their rulers. By the regular course of election, they withdrew the reins from the hands of the federalists, and placed them in those of the democrats.

This was a most unexpected revolution to the federalists. It wholly changed their views of the government. It has been asserted in England, that a tory in place, becomes a whig when out of place—and that a whig when provided with a place, becomes a tory. And it is painful to state that too many among us act the same farce. The government, which, administered by themselves, was regarded as miserably feeble and inefficient, became, on its transition, arbitrary and despotic; notwithstanding that among the earliest acts of the new incumbents, was the repeal not merely of the alien and sedition laws, but of some of the most obnoxious and oppressive taxes!

Under the effects of these new and improved political views, a most virulent warfare was begun against their suc-

cessors. The gazettes patronized by and devoted to federalism, were unceasing in their efforts to degrade, disgrace, and defame the administration. All its errors were industriously magnified, and ascribed to the most perverse and wicked motives. Allegations wholly unfounded, and utterly improbable, were reiterated in regular successions. An almost constant and unvarying opposition was maintained to all its measures, and hardly ever was there a substitute proposed for any of them. There was not the slightest allowance made for the unprecedented and convulsed state of the world. And never was there more ardour and energy displayed in a struggle between two hostile nations, than the opposition manifested in their attacks upon the administration. The awful, and lamentable, and ruinous consequences of this warfare, and its destruction of the vital interests of the nation, will fully appear in the sequel.

CHAPTER X.

British Orders in Council, November 1793. Enforcement of the Rule of 1756. General clamour throughout the United States.

As the difficulties and dangers of our country have sprung from the belligerent invasions of our rights, I shall commence the consideration of them with the British order of 1793.

At that period, during the administration of general Washington, the following order was issued by the British privy council:—

"George R. Additional instruction, to all ships of war, privateers, &c.

"That they shall stop and detain all ships laden with goods, the produce of any colony belonging to France, or carrying provisions or other supplies for the use of such colonies; and shall bring the same, with their cargoes, to legal adjudication in our courts of admiralty.

"By his majesty's command,
Signed, "HENRY DUNDAS."

Nov. 6, 1793.

This order was a most lawless invasion of our rights, almost unprecedented in extent, and incapable of pleading in its defence the right of retaliation, so hacknied and worn so thread-bare since that period. In a few weeks it swept the seas of our commerce. Hundreds of our vessels were captured: and many of our merchants, who had no more anticipation of such a system, than of an attack on their vessels by the subjects of the emperor of China, were absolutely re-

duced to bankruptcy. The annals of Europe for the preceding century furnish no measure more unjustifiable.

The circumstances attending it very highly aggravated the outrage. It was issued so clandestinely, and with such an extraordinary degree of secrecy, that the first account of its existence that reached the London exchange, was conveyed with the details of the captures it authorized and occasioned. And the American minister at the court of St. James's, was unable to procure a copy of it till the 25th of December.

This lawless procedure excited universal indignation in the United States. There was a general clamour for war among all parties. Several very violent measures were moved and debated in Congress—among the rest, the sequestration of all British property in the United States, for the purpose of indemnifying our merchants. This, if my memory do not deceive me, was brought forward by Jonathan Dayton, of New Jersey, a leading man among the federalists.

While Congress was engaged in debating on various modes of procuring redress, the president arrested it in its career, by the nomination of Judge Jay as minister extraordinary, to seek redress from the British government.

This eventuated in the celebrated treaty which bears that minister's name, against which volumes of denunciations were published by the democrats, with numberless gloomy and terrifying predictions, on nearly the whole of which, as I have already stated, time has stamped the seal of false prophecy.

From this period till the year 1805, the collisions between the two nations were inconsiderable.

The United States were in a most enviable state of prosperity in the years 1800, 1, 2, 3, 4, and 5. No nation ever enjoyed greater happiness. The trade of the country, and particularly its exports had most wonderfully increased.

During the first four years of general Washington's administration, the whole value of the exports from this country, foreign and domestic, was below 100,000,000 dollars; whereas during the years 1803, 4, 5, and 6, they were more than treble that amount.

Exports.	Foreign.	Domestic.	Total.
1803	13,594,000	42,206,000	55,800,000
1804	36,231,000	41,468,000	77,699,000
1805	53,179,000	42,387,000	95,566,000
1806	60,283,000	41,253,000	101,536,000
	163,287,000	167,314,000	330,601,000

The foreign articles were principally the productions of the colonies of the enemies of Great Britain: and their amount excited her jealousy in a high degree, and led her in the summer of 1805, to adopt the rule of the war of 1756, which rendered illegal any commerce carried on by a neutral, with the colonies of a belligerent, during war, which had not been permitted during peace. This rule was carried into operation, without any previous notice whereby our vessels and property to an immense amou[illegible] seized—carried into British ports—tried and co[illegible]

A circumstance attended this transa[illegible]h greatly aggravated its injustice. It was in [illegible]stility with previous decisions of the British courts of admiralty, which had legalized in the clearest and most explicit manner, the trade now prescribed and subjected to condemnation.

In order to display the gross impropriety of this procedure of the British government, and its utter inconsistency with their preceding conduct and decisions, I annex a statement of the report of the king's advocate, on an application made to him in March, 1801, at the instance of Rufus King, Esq. our minister at the court of St. James's, on certain cases wherein this rule of 1756 was attempted to be enforced.

"It is now distinctly understood, and has been repeatedly adjudged by the high "court of appeal, that ☞THE PRODUCE OF THE COLONIES OF THE "ENEMY MAY BE IMPORTED BY A NEUTRAL INTO HIS OWN "COUNTRY, AND MAY BE RE-EXPORTED FROM THENCE, EVEN "TO THE MOTHER-COUNTRY OF SUCH COLONY; AND IN LIKE "MANNER ☞THE PRODUCE AND MANUFACTURES OF THE MO-"THER-COUNTRY MAY, IN THIS CIRCUITOUS MODE, LEGALLY "FIND THEIR WAY TO THE COLONIES. The direct trade, however, be-"tween the mother-country and its colonies, has not, I apprehend, been recognised "as legal, either by his majesty's government, or by his tribunals.

"What is a direct trade, or what amounts to an intermediate importation into the "neutral country, may sometimes be a question of some difficulty. A general defi-"nition of either, applicable to all cases, cannot well be laid down. The question "must depend upon the particular circumstances of each case. Perhaps the mere "touching in the neutral country, to take fresh clearances, may properly be consider-"ed as a fraudulent evasion, and in effect the direct trade; but the high court of "admiralty has expressly decided (and I see no reason to expect that the court of ap-"peals will vary the rule) that ☞*landing the goods and paying the duties in the "neutral country, breaks the continuity of the voyage; and is such an importation "as legalises the trade, although the goods be re-shipped in the same vessel, and on "account of the same neutral proprietors, and be forwarded for sale to the mother-"country or the colony.*"

"An extract from this report, containing the foregoing passage, was transmitted by the duke of Portland, in a letter of the 30th March, 1801, to the lords commissioners of the admiralty. His grace's letter concludes thus: "In order, therefore, to put a stop to the inconveniences arising from these erroneous sentences of the vice admiralty courts, I have the honour to signify to your lordships the king's pleasure, that a communication of the doctrine laid down in the said report should be immediately made by your lordships to the several judges presiding in them, setting forth what is held to be the law upon the subject by the superior tribunals, for their future guidance and direction."*

* Letter from Messrs. Monroe and Pinkney to lord Howick, dated August 20, 1806.

IMAGE EVALUATION
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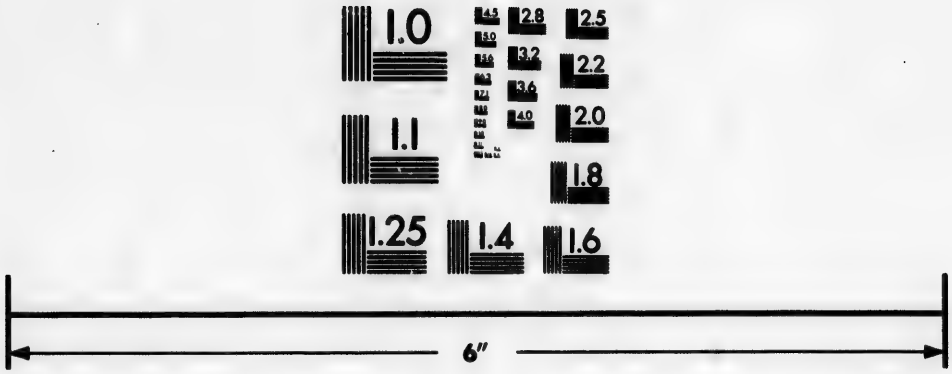

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The depredations above stated excited universal indignation throughout the United States. The mercantile part of the community were exasperated to the utmost degree. The administration was stigmatized as equally regardless of the honour and the interest of the nation, for not resisting these pretensions and not procuring redress for the depredations. A recurrence to the gazettes of that period will show that the federal party was then clamorous for war, if redress could not be procured for grievances incomparably less than those that finally provoked the late declaration of war. But it may be said, and with some degree of truth, that newspapers are an equivocal criterion of the public opinion. This I admit. And I shall lay before the reader other and most unerring proofs of the mercantile temper of this period.

Meetings of the merchants were held in almost all the commercial towns and cities in the United States. The subject was eloquently discussed. Strong memorials were agreed upon, urging the president and congress to adopt such measures as might be necessary to procure redress. In these memorials, which were couched in the most emphatical language, the pretensions of England were treated as not far removed from actual piracy*—as opening a door to the most flagrant frauds and impositions—as unworthy of a great and magnanimous people—and as derogatory to the reputation and honour of an independent nation to submit to. The administration was in the most impassioned style invoked to resist such pretensions; and the memorialists generally *pledged themselves most solemnly to support it in the attempt.* As I shall devote a separate chapter [the 18th] to the consideration of the policy of the mercantile part of the nation, I shall not here inquire how far these pledges were redeemed.

These memorials are immensely important in the formation of a correct estimate of the policy of our government. I shall, therefore, make very copious extracts from them. They are most precious documents, and present "a round unvarnished tale" of the outrages experienced by American commerce, and the extravagant pretensions, as well as the lawless depredations of Great Britain.

* "It cannot become the integrity of a great nation, *to prey upon the unprotected property of a friendly power.*"

(Boston Memorial.)

CHAPTER XI.

Extracts from the Boston Memorial. Strong Style. British pretensions destructive of the navigation of neutral nations. Duty of the United States to oppose them. Energetic call for adequate measures to protect commerce.

THE Boston merchants, after glancing at the vexations, insults and barbarities, suffered from France and Spain, pass on to the consideration of the grievances inflicted by the British. They state that,

"It is their object in the present memorial, to confine their animadversions to ☞ THE MORE ALARMING, BECAUSE MORE NUMEROUS AND EXTENSIVE DETENTIONS AND CONDEMNATIONS OF AMERICAN VESSELS BY GREAT BRITAIN; and to advert to the principles recently avowed, and adopted by her courts, relative to neutral trade in articles of colonial produce.—Principles, which, if admitted, or practised upon in all the latitude, which may fairly be inferred to be intended, would be ☞ *destructive to the navigation, and* ☞ RADICALLY IMPAIR THE MOST LUCRATIVE COMMERCE OF OUR COUNTRY. Principles that had been virtually abandoned subsequently to their first avowal, *even during an intermittent and inoperative war*, and during the prosecution of a trade *which is now interdicted and alleged to be illegal*, but which trade was at that time sanctioned by the promulgated decisions of her courts, and by an official communication from one of the highest organs of the very government, which is now attempting to destroy it, and with its suppression to ☞ ANNIHILATE, OR GREATLY DIMINISH THE COMMERCE OF NEUTRAL NATIONS.

"There is great cause to apprehend, that the British government mean to set up as a principle, that she has a right to interdict all commerce by neutrals, to the ports of her enemies, which ports had not been opened previously to the commencement of hostilities;—that if she permits a trade with them in any degree, she has a right to prescribe the limits of it; to investigate the intention of the parties prosecuting it; and if such intention be not the actual disposition of the property in the neutral country, to consider the merchandize, even after the importation into such country, after having been landed therein, warehoused, and the duties paid on it, as ☞ *only in the stage of a continued and direct voyage from the colony to the mother-country, or vice versa*; and therefore illegal, and liable to condemnation.

"In some instances, your memorialists find ☞ *new vessels, on their first passage from the United States to Europe, arrested, carried out of their course, and injuriously detained under the vexatious pretence of a continuity of voyage from the country or colony of a belligerent.* In another instance they have witnessed a vessel captured and condemned *under the most frivolous pretext*, when in the prosecution of an acknowledged and permitted trade, under circumstances which banished every shadow of doubt, as to *the real destination of the vessel, the identity of the owners, or the actual intention of the parties.*

"These few instances they have thought it needful to notice, in order to demonstrate, that unless the present disposition of the British admiralty courts, and navy officers, can be *counteracted and removed*, a widely dispersed and unprotected commerce, extending to every region of the globe, will only serve ☞ TO INVITE DEPREDATION, TO BANKRUPT OURSELVES, AND ENRICH OTHERS, UNTIL SUCH COMMERCE BE SWEPT FROM THE FACE OF THE OCEAN, and leave nothing in its stead, but sentiments of hostility and acts of contention.

"*A tacit submission to pretensions thus lofty and comprehensive, but which your memorialists trust are most of them untenable, would, they conceive, be* ☞ AN ABANDONMENT OF RIGHTS OPENLY RECOGNIZED, AND A DERELICTION OF THE MOST IMPORTANT COMMERCIAL INTERESTS OF OUR COUNTRY.

"Reason, and the most powerful considerations of equity, enjoin it as ☞ A DUTY ON THE UNITED STATES TO OPPOSE THESE PRETENSIONS, for circumstanced as these states are, possessing an immensely extended and fertile territory, producing mostly the necessaries of life, which, with the merchandize obtained from abroad by the industry and enterprise of her citizens, she is obliged to barter, or furnish in payment for importations of foreign produce or manufactures; ☞ *it behoves her strenuously to contend for the right of an open commerce in innocent articles between other nations that are willing to accord it, and herself;* for if the right be not both claimed and admitted, scarcely any of the European powers can in future be engaged in warfare *without making the United States, in opposition both to her efforts and wishes* ☞ EITHER A VICTIM OR PARTY IN THE CONTEST.

"Your memorialists conceive these pretensions afford constant sources of collision, continually tending to involve these states in the issue of European wars, and would oblige the government, on the occurrence of such wars, speedily to unite with one or other of the parties, in order that the commerce of the country might lawfully avail itself of some degree of security, from the protection which its own force, and that of its allies, could afford. To this state of things, your memorialists believe it can neither be the interest nor wish of the British government to reduce our country.

"The most tenacious advocates for the rights of belligerents admit, that during war, neutrals have a right to enjoy, in the utmost latitude, the trade to which they had been accustomed in times of peace. Now if the belligerent has the right to blockade an extended sea coast, and to ☞ *exclude neutrals from, perhaps, fifty different ports, (as was the case with the French ports in the channel during the last war,)* how can the neutral enjoy his usual peace trade in its greatest latitude, unless this deprivation is balanced by another trade, which is opened to him during the war?—As to the inquisitorial right of search into the ownership of neutral property set up by Great Britain, and the doctrine appended to it, that a neutral importer shall not again export his goods, but that they shall be first [illegible]ted and passed into the possession of others—your memorialists believe them to be UNSOUND IN POINT OF PRINCIPLE, OFFENSIVE IN PRACTICE, AND NUGATORY IN EFFECT.

"Your memorialists would with reluctance believe that the sacred tribunals of justice have become subservient to motives of political expediency, more especially in a nation whose judicial proceedings have frequently deserved and commanded the respect of all civilized countries. Yet they know not easily how to reconcile on any other grounds, the contradictory proceedings of the British admiralty courts, during the last and present war.

"At any rate, whether the doctrine were sound or not, or whether it injured Great Britain or not, it cannot become the integrity and magnanimity of a great and powerful nation, at once, and without notice, to reverse her rule of conduct towards other states, and ☞ TO PREY UPON THE UNPROTECTED PROPERTY OF A FRIENDLY POWER, the extension of whose commerce had been invited by the formal avowal of her intentions, and prosecuted, under a reliance on her good faith, and from the confidence reposed, that her courts, uniform to their principles, would never be influenced by the time-serving politics of the moment.

"In all events, fully relying that the subject of our differences with Great Britain will *receive the due consideration of government*; and that such measures will in consequence be *promptly adopted*, as will tend to DISEMBARRASS

OUR COMMERCE—ASSERT OUR RIGHTS—AND SUPPORT THE DIGNITY OF THE UNITED STATES.

"Your memorialists have the honour to remain, in behalf of their constituents and themselves, most respectfully,

James Lloyd, jun. John Coffin Jones,
David Green, George Cabot,
Arnold Welles, Thomas H. Perkins.
David Sears,

Boston, Jan. 30, 1806.

To this memorial I request the particular attention of the reader. It was the act of the merchants of Boston in general. The seven gentlemen whose signatures are subscribed, were merely a committee to represent the mercantile corps. No man can pretend to form a correct opinion on the conduct of the two parties that divide the nation, without being fully possessed of the tenor of this and the other similar documents. Besides the contents, I wish two of the signatures to be most particularly adverted to. They are those of George Cabot and James Lloyd, jun. who have both acted conspicuous parts in the recent affairs of the United States. The former gentleman was a member of the convention at Hartford, whose professed object was to form some association among the commercial states for the "*protection of commerce,*" against the hostility of government.

These gentlemen explicitly state, that unless "*the present disposition,*" that is, the disposition in 1805, (for as the remonstrance was drafted in January, 1806, it must refer to the proceedings of the preceding year)

"Of the British admiralty courts, and navy officers can be counteracted and removed, *a widely dispersed and unprotected commerce, extending to every region of the globe,* will only serve to invite depredation, TO BANKRUPT OURSELVES, AND ENRICH OTHERS, until such commerce be swept from the face of the ocean."

They further state, that

"*A tacit submission to pretensions thus lofty, would be an abandonment of rights openly recognized, and* A DERELICTION OF THE MOST IMPORTANT COMMERCIAL INTERESTS OF OUR COUNTRY."

And they add—

"Reason and the most powerful considerations of equity enjoin it as *a duty on the United States to oppose these pretensions.*"

And that

These pretensions are "unsound in point of principle, offensive in practice, and nugatory in effect."

And to cap the climax, they explicitly charge Great Britain, with something not far from piracy, or

"PREYING UPON THE UNPROTECTED PROPERTY OF A FRIENDLY POWER."

They and their friends then call upon the government

"Promptly to adopt such measures as might *disembarrass our commerce—assert our rights—and support the dignity of the United States.*"

This call, so strong and so solemn, implied with equal strength and solemnity a pledge of support. It behoves these gentlemen and their friends, who are now, for that purpose, called on publicly in the face of their country, to point out any one instance in which they lent their aid to the government in the pursuit of redress, or redeemed the solemn pledge they held out to their country and to the world.

CHAPTER XII.

Extracts from New-York Memorial. Equally explicit and pointed with that from Boston. The pretensions of Great Britain a violation of the law of nations. A strong and peremptory call for resistance on the part of the government. Solemn pledge of support. Long and respectable list of signers.

"They have been suddenly confounded by unexpected intelligence of *the arrestation, on the high seas, of a large portion of their property, which had been embarked with the most unsuspecting confidence.* The feelings of your memorialists are not only excited by the losses which they have actually sustained, in consequence of a measure insusceptible of previous calculation, but, also, from the state of uncertainty in which they are placed with respect to future commercial operations.

"In the recent decision, which prohibits an importer of colonial produce from exporting it to Europe, they perceive with concern, ☞ *either a vexatious and vexatious regulation,* ☞ *or a meditated blow at what they deem an insensible and valuable right.*

"If the arrival of a ship in the country to which it belongs; the landing of the cargo; the inspection of the custom-house; the payment or security of duties; do not terminate a voyage, then we confess our ignorance on a point, which, never having been before questioned, has been assumed by us as an acknowledged truth. If the entry for exportation; the embarkation of merchandize; the re-inspection of the custom-house; the bond for securing a delivery in a foreign country; and a public clearance, do not indicate the commencement of a new voyage—then we are yet to learn the meaning of the expression.

"But these embarrassments, though perplexing and vexatious, are not those which principally occasion our solicitude; we are compelled to consider the late decisions of the British tribunals as preliminary steps ☞ towards a *system of controlling the importations and exportations of colonial productions,* and thereby ☞ANNIHILATING THE MOST LUCRATIVE BRANCHES OF OUR COMMERCE. If we owed this trade solely to the favour of Great Britain, still we might ask, what urgent motive, what imperious necessity, required that the favour should be resumed at *a period when our commerce was*

spread over the ocean, and when a change so essential might destroy its security, and subject us to incalculable losses. We deny, however, that the rights of commerce, as claimed by us, are to be deemed favours; on the contrary, *if the law of nations is other than a temporary rule, prescribed by an arbitrary will, and enforced by power, then we appeal to its most universal and inviolable principle in our defence.* This principle is, that ☞ *the goods of a neutral, consisting of articles not contraband of war, in a neutral vessel, employed in a direct trade between neutral countries and ports of a belligerent country, not invested or blockaded, are protected.*

"Whatever theoretical opinions may heretofore have been advanced, there has existed no such practical rule, [as that of 1756] which, under the unparalleled circumstances of the present war, ☞ MUST INFALLIBLY DESTROY THE COMMERCE OF THIS COUNTRY.

"With these preliminary facts in view, we request permission to detail some of the most important consequences of the assumed rule, that neutrals may be restrained in time of war to their accustomed trade in time of peace. The injustice of such a rule, in relation to the United States, will be most manifest: the individuals employed in commerce would not alone be affected; ☞ *all the internal relations of our country would be disturbed;* ☞ *the interests of those districts which are most remote from our principal ports, would, in proportion to their dependence on foreign supplies, be most severely depressed.*

"If Great Britain permits commerce *between her subjects and the colonies of her enemies,* may we not, with the consent of those colonies, participate in the same commerce? If our commerce with the enemies of Great Britain may now be confined to the system established in time of peace, may we not apprehend that the principle will be retaliated in respect to our commerce with the colonies of Great Britain? In that case, ☞ WHAT CAN ENSUE BUT WAR, PILLAGE AND DEVASTATION?

"These are not imaginary suppositions. They illustrate the most important principles of our commerce. They evince the necessity of a circuitous trade, to enable us to realize the great value of exports of our own native productions, by which, alone, we acquire the power to liquidate the balance against us, in our commerce with Great Britain: they demonstrate, that ☞ *the position against which we contend, is not a rule of the law of nations.* ☞ THE LAW OF NATIONS ORDAINS NO RULE, WHICH IS UNEQUAL AND UNJUST.

"It is, however, with much surprise, that we have recently discovered that the very circumstances upon which our hopes of security were reposed, have been urged as arguments to justify an invasion of our rights; and that ☞ HAVING TOTALLY SUPPRESSED THE EXTERNAL COMMERCE OF HER ENEMIES, GREAT BRITAIN IS NOW COUNSELLED TO APPROPRIATE TO HERSELF THAT OF HER FRIENDS.

"Surely the security of neutral rights ought not to diminish, as their value is augmented. Surely a maritime preponderancy which enables its possessor to blockade any of the ports of its enemies, conveys no just title to a monopoly of the commerce of the world.

"In the list of our complaints we cannot forbear to enumerate the humiliating and oppressive conduct of ships of war in the vicinity of our coasts and harbours. We respect the principle and emulate the conduct of Great Britain, in regard to her own jurisdiction: and ☞ *we wish merely to claim for ourselves the same measure of justice, which she exacts from others.*

"This view of the subject, while it excites our anxiety, furnishes, also, a resource for our hopes. We wish only for justice: and believing that a commercial nation which disregards justice, thereby undermines the citadel of her power; we rely on the effect of mutual interests and wishes in promoting a cordial explanation and fair adjustment of every cause of misunderstanding; in particular ☞ *we rely on the government of our country* THAT OUR RIGHTS WILL NOT BE ABANDONED, and that ☞ NO ARGU-

MENT IN FAVOUR OF AN USURPATION WILL EVER BE DERIVED FROM OUR ACQUIESCENCE.

"Your memorialists conclude with remarking, that they deem the present situation of public affairs to be peculiarly critical and perilous; and ☞ such as requires all the prudence, the wisdom, and the energy of the government, ☞ SUPPORTED BY THE CO-OPERATION OF ALL GOOD CITIZENS. By mutual exertions, under the benign influence of providence upon this hitherto favoured nation, we hope the clouds which threaten to obscure its prosperity may be dispelled. AND WE PLEDGE OUR UNITED SUPPORT IN FAVOUR OF ALL THE MEASURES ADOPTED TO VINDICATE AND SECURE THE JUST RIGHTS OF OUR COUNTRY.

New York, Dec. 22, 1806.

Signed on behalf of the merchants, by

John Broome, chairman,	Elisha Gott,
Oliver Wolcott,	John B. Murray,
John Franklin,	Leffert Lefferts,
Isaac Lawrence,	Samuel A. Lawrence,
Thomas Carpenter,	Robert Lenox,
John Taylor,	John Murray,
Henry J. Wyckoff,	George Griswold,
George M. Woolsey,	Henry Post,
David M. Clarkson,	John R. Livingston,
Gocket Hoyt,	William Henderson,
Daniel Ludlow,	Archibald Gracie,
Samuel Russel,	Benjamin G. Minturn,
James Arden,	William Bayard,
William Lovet,	Gulian Ludlow,
Edmond Seaman,	Eben. Stevens,
James Maxwell,	Rensselaer Havens,
Benj. Bailey,	Peter Shermerhorn,
Thomas Farmer,	William W. Woolsey,
W. Edgar,	James Scott,
Wynant Van Zandt.	John P. Mumford,
Charles Wright,	Charles M'Evers, jun.
John De Peyster,	John Kane,
J. Clason,	John Clendining,
Wm. Clarkson,	Wm. Codman.
John B. Coles,	

CHAPTER XIII.

Extracts from the Memorial of the Merchants of Philadelphia.

I PROCEED to state the sentiments of the merchants of the great city of Philadelphia, on this invasion of their rights and those of the nation. We shall see that they felt the same sense of the injustice of these measures, with their brethren of Boston and New-York—made the same strong requisition for protection—and gave an equal pledge of full support. They state that a submission to these claims of Great Britain, "would *produce the ruin of individuals—the destruction of their commerce—and the degradation of their country.*"

To prevent these mighty evils, they required the interference of the government, which, at their requisition, did interfere. We shall see the result.

"☞ *A jealousy of our enterprise and prosperity has excited a design of checking the commercial growth of our country*, the fruit of which has been an attempt to innovate upon ancient and approved principles, and introduce unheard-of articles and provisions into the code of public law.

"It becomes your memorialists to state, that the pressure of these evils has greatly increased, and that others, of even superior magnitude, have arisen, which assume a most alarming and distressing form. What were considered as irregularities, insusceptible of prevention, have, by continuance and success, strengthened into regular and systematic plunder. What were regarded as mischiefs incident to a state of war, temporary though not remediless, are vindicated upon the ground of right; and their practice is reiterated under the authority of government, and receives the solemn sanction of the law.

"They moreover foresee, in the prevalence of the principles, and the continuance of the practices alluded to, nothing but ☞ THE RUIN OF INDIVIDUALS, THE DESTRUCTION OF THEIR COMMERCE, AND THE DEGRADATION OF THEIR COUNTRY.

Could the judgment, or even the charity of your memorialists see, in the new doctrines of the British court, nothing but the revival and enforcement of an ancient and established principle, which friendship had relaxed, or favour permitted to slumber, they might regret the departed good, but could impute no injustice to the hand that withdrew it. They are struck, however, with the novelty of these doctrines; ☞ *their unequivocal hostility to neutral interests and rights*; ☞ *their inconsistency with former declarations of their ministry*, and decisions of their courts; and with the extraordinary time and manner of their annunciation.

"That policy, not justice—that interest, not fair and admitted precedent, have given birth to the principle, that neutrals should be restricted to the same commerce with a belligerent, which was allowed to them by that power in time of peace, is conceived by your memorialists to be true. Incompatible with the general freedom of neutral commerce, this rule has the sanction of no common observance by civilized nations, and cannot bear that faithful test which every fair and righteous principle of the law of nations will abide.

"The effect of this novel principle upon neutral intrests is of the most serious and alarming character. ☞ IT GOES TO NOTHING SHORT OF THE DESTRUCTION OF NEUTRAL COMMERCE; and from the well known neutral situation and character of the United States, to ☞ *nothing short of inflicting a most deep and deadly wound upon their trade.*

"But your memorialists cannot but consider, that this principle has not the weight of a consistent and uniform support by the government which professes to uphold it. In 1801, the declarations of its ministry and the decisions of its courts, were, unequivocally, "that the produce of the colonies of the enemy may be imported by a neutral into his own country, and be re-exported from thence, even to the mother country of such colony;" and also; "that landing the goods and paying the duties in the neutral country, breaks the continuity of the voyage, and is such an importation as legalises the trade, although the goods be re-shipped in the same vessels, and on account of the same neutral proprietors, and forwarded for sale to the mother country." In 1805, it is decided, that landing and paying the duties does not break the continuity of the voyage; and that the course of trade pointed out to the neutral four years before, as legal and safe, is now unsatisfactory to the belligerent, and ATTENDED INFALLIBLY WITH CONFISCATION. What clear and immutable principle of the law of nations, can that be, your memorialists would ask, which is supported by the high court of admiralty, and avowed by the ministry in 1801, and which is prostrated by the ministry and the high court of appeals in 1805? ☞ *Such a principle must be considered as rather partaking of the shifting character of convenience, than of that of permanent right and established law.*

"The time and manner of announcing it accord with the principle itself. At a moment when mercantile enterprise, confiding in the explanations on this point given by the British ministry to our ambassador, was strained to the utmost, a new decision of the court of appeals is announced, and ☞ EVERY SAIL IS STRETCHED TO COLLECT THE UNWARY AMERICANS, WHO ARE UNSUSPECTINGLY CONFIDING IN WHAT WAS THE LAW OF NATIONS.

"In the principles they have been submitted to your consideration, they feel all the confidence of justice, and all the security of truth. ☞ TO SURRENDER THEM, THEY CONCEIVE, WOULD DEROGATE FROM THE NATIONAL CHARACTER AND INDEPENDENCE OF THE UNITED STATES. FROM THE JUSTICE OF GOVERNMENT THEY HOPE FOR THEIR AVOWAL; FROM THE SPIRIT OF GOVERNMENT THEY HOPE FOR THEIR DEFENCE; AND FROM THE BLESSINGS OF HEAVEN THEY HOPE FOR THEIR ESTABLISHMENT.

"As citizens, ☞ they claim protection; and they conceive that the claim is enforced by the consideration, that from their industry and enterprise is collected a revenue which no nation has been able to equal, without a correspondent expense for the protection of the means.

"To preserve peace with all nations, is admitted, without reserve, to be both the interest and the policy of the United States. They therefore presume to suggest, that every measure, *not inconsistent with the honour of the nation*, by which the great objects of redress and security may be attained, should first be used. IF SUCH MEASURES PROVE INEFFECTUAL, ☞ WHATEVER MAY BE THE SACRIFICE ON THEIR PART, IT WILL BE MET WITH SUBMISSION. But whatever measures may be pursued by their government, your memorialists express the firmest faith, that every caution will be used to preserve private property and mercantile credit from violation."

Thos. Fitzsimons, chairman,

John Craig,	Abraham Kintzing,
W. Sims,	Philip Nicklin,
Robert Ralston,	Thomas Allibone,
James Yard,	George Latimer,
Jacob Gerard Koch,	Chandler Price,
Thomas W. Francis,	L. Clapier,
Thomas English,	Daniel W. Coxe,
Joseph S. Lewis,	Robert Wain,
William Montgomery,	Manuel Eyre,

R. E. Hebert, sec.

The preceding list embraces decided men of both the hostile parties, and of various nations—Americans, English, Irish, French, and Dutch.

CHAPTER XIV.

Extracts from the Baltimore Memorial.

The memorial of the merchants of Baltimore is more diffuse and argumentative than any of the preceding. It is a most masterly composition, and may be regarded as a complete and unanswerable defence of neutral rights against belligerent pretensions and encroachments. Its maxims ought to be committed to memory by every statesman, in all countries whose interest it is to preserve a neutral situation.

"It would not be desired that the state of things, which Great Britain had herself prescribed, and which use and habit had rendered familiar and intelligible to all, should be disturbed by oppressive innovations; far less that these innovations should, by ☞ *a grandical retrospection*, be made to justify ☞ *the seizure and confiscation of their property*, committed to the high seas, under the protection of the existing rule, and ☞ *without warning of the intended change*. In this their just hope, your memorialists have been fatally disappointed. ☞ THEIR VESSELS AND EFFECTS, TO A LARGE AMOUNT, HAVE LATELY BEEN CAPTURED BY THE COMMISSIONED CRUISERS OF GREAT BRITAIN, upon the foundation of ☞ NEW PRINCIPLES, SUDDENLY INVENTED, and applied to this habitual traffic; and suggested and promulgated, for the first time, by sentences of condemnation; by which ☞ *unavoidable ignorance has been considered as criminal, and* AN HONOURABLE CONFIDENCE IN THE JUSTICE OF A FRIENDLY NATION, PURSUED WITH PENALTY AND FORFEITURE.

"Your memorialists are in no situation to state the precise nature of the rules to which their most important interests have been thus sacrificed: and it is not the least of their complaints against them, that ☞ *they are undefined and undefinable; equivocal in their form, and the fit instruments of oppression, by reason of their ambiguity.*

"Your memorialists will not here stop to enquire upon what ground of law or reason the same act is held to be legal, when commenced with one intention, and illegal when undertaken with another. But they object, in the strongest terms, against this new criterion of legality, because of its inevitable tendency to injustice; because of ☞ *its peculiar capacity to embarrass with seizure, and ruin with confiscation, the whole of our trade with Europe in the surplus of our colonial importations.*

"If the consequences to that traffic were not intended to be serious, and extensive, and permanent, your memorialists search in vain for a motive, by which a state, in amity with our own, and moreover connected with it by the ties of common interest, to which many considerations seem to give peculiar strength, ☞ *has been induced to indulge in a paroxysm of capricious aggression upon our rights, by which it dishonours itself, without promoting any of those great interests for which an enlightened nation may fairly be solicitous*, and which only a steady regard to justice can ultimately secure. When we see a powerful state, in possession of a commerce, of which the world affords no examples, ☞ *endeavouring to interpolate into the laws of nations casuistical niceties and wayward distinctions, which forbid a citizen of another independent commercial country to export from that country what unquestionably belongs to him*, only because he imported it himself, and yet allow him to sell a right of exporting it to another: which prohibit an end, because it arises out of one intention, but permit it when it arises out of two;—which, dividing an act into stages, search into the mind for a correspondent division of it in the contemplation of its author, and determine its innocence or criminality accordingly; which, not denying that the property acquired in an authorized traffic by neutral nations from belligerents, may become incorporated into the national stock, and, under the shelter of its neutral character, thus superinduced, and still preserved, be afterwards transported to every quarter of the globe, reject the only epoch, which can distinctly mark the incorporation, and point out none other in its place;—which, proposing to fix with accuracy and precision, the line of demarcation, beyond which neutrals are trespassers upon the wide domain of belligerent rights, involve every thing in darkness and confusion; ☞ *there can be but one opinion as to the purpose which all this is to accomplish.*

☞ "*For the loss and damage which capture brings along with it, British courts of prize grant no adequate indemnity.* Redress to any extent is difficult—to a competent extent impossible. And even the costs which an iniquitous seizure compels a neutral merchant to incur, in the defence of his violated rights, before their own tribunals, are seldom decreed, and never paid.

"The reasons upon which Great Britain assumes to herself a right to interdict to the independent nations of the earth, a commercial intercourse with the colonies of her enemies (out of the relaxation of which pretended right has arisen the distinction in her courts, between the American trade from the colonies to the United States, and from the same colonies to Europe,) will, we are confidently persuaded, BE REPELLED WITH FIRMNESS AND EFFECT BY OUR GOVERNMENT.

"*She forbids us from transporting in our vessels, as [illegible] space we could, the property of her enemies; enforces against us a rigorous list of [illegible]traband; dams up the great channels of our ordinary trade; abridges, trammels, and obstructs what she permits us to prosecute; and then refers us to our accustomed traffic in time of peace for the criterion of our commercial rights,* IN ORDER TO JUSTIFY THE CONSUMMATION OF THAT RUIN, WITH WHICH OUR LAWFUL COMMERCE IS MENACED BY HER MAXIMS AND HER CONDUCT.

"This principle, therefore, cannot be a sound one. It wants uniformity and consistency; is partial, unequal, and delusive. It makes every thing bend to the rights of war; while it affects to look back to, and to recognise, the state of things in peace, as the foundation and the measure of the rights of neutrals. Professing to respect the established and habitual trade of the nations at peace, it affords no shadow of security for any part of it. Professing to be an equitable standard for the ascertainment of neutral rights, it deprives them of all body and substance, and leaves them only a plausible and unreal appearance of magnitude and importance. It delivers them over, in a word, to the mercy of the states at war, as objects of legitimate hostility; and while it seems to define, does in fact extinguish them. Such is the faithful picture of the theory and practical operations of this doctrine.

"The pernicious qualities of this doctrine are enhanced and aggravated, as from its nature might be expected, by the fact that ☞*GREAT BRITAIN GIVES NO NOTICE OF THE TIME WHEN, OR THE CIRCUMSTANCES IN WHICH, SHE MEANS TO APPLY, AND ENFORCE IT.* Her orders of the 6th November, 1793, by which the seas were swept of our vessels and effects, *were, for the first time, announced by the ships of war, and privateers, by which they were carried into execution.*

"The late decisions of her courts, which are in the true spirit of this doctrine, and are calculated to restore it in practice, to that high tone of severity, which milder decisions had almost concealed from the world, came upon us by surprise; and the captures, of which the Dutch complained, in the seven years' war, were preceded by no warning. ☞THUS IS THIS PRINCIPLE MOST RAPACIOUS AND OPPRESSIVE IN ALL ITS BEARINGS. Harsh and mysterious in itself, it has always been, and ever must be, used to betray neutral merchants into a trade, supposed to be lawful, and then to give them up to pillage, and to ruin.

"But there can be no security ☞*while a malignant and deceitful principle like this hangs over us.* It is just what the belligerent chooses to make it, ☞*lurking, unseen, and unfelt, or visible, active, and noxious.* It may come abroad when least expected: and the moment of confidence may be the moment of destruction. ☞*It may sleep for a time; but no man knows when it is to awake, to shed its baleful influence upon the commerce of the world.* It clothes itself, from season to season, in what may be called relaxations; but again, without any previous intimation to the deluded citizens of the neutral powers, these relaxations are suddenly laid aside, either in the whole, or in part, and ☞*the work of confiscation commences.* Nearly ten months of the late war had elapsed before it announced itself at all: and, when it did so, it was in its most formidable shape, and in its fullest power and expansion.

"Your memorialists feel themselves bound to state that, according to authentic information lately received, the government of Great Britain does, at this moment, ☞*grant licenses to neutral vessels taking in a proportion of their cargoes there, to proceed on trading voyages to the colonies of Spain, from which she would exclude us; upon the condition, that the return cargoes shall be carried to Great Britain, to swell the gains of her merchants, and to give her a monopoly of the commerce of the world.* This great belligerent right, then, upon which so much has been supposed to depend, ☞*sinks into an article of barter.* It is used, not as a hostile instrument wielded by a warlike state, by which her enemies are to be wounded, or their colonies subdued, but as the selfish means of commercial aggrandisement, for ☞*the impoverishment and ruin of her friends;* as an engine by which Great Britain is to be lifted up to a vast height of prosperity, and ☞*the trade of neutrals crippled, and crushed, and destroyed.* Such acts are a most intelligible commentary upon the principle in question. They shew that it ☞*is a hollow and fallacious principle,* susceptible of the worst abuse, and incapable of a just and honourable ap-

plication. They shew that, in the hands of a great maritime state, it is not, in its ostensible character of a weapon of hostility, that it is prized; but rather *as one of the means of establishing an unbounded monopoly*, by which every enterprise calculated to promote national wealth and power, shall be made to begin and end in Great Britain alone. Such acts may well be considered as pronouncing the condemnation of the principle against which we contend, as withdrawing from it the only pretext, upon which it is possible to rest it.—Great Britain does not pretend that this principle has any warrant in the opinion of writers on public law. She does not pretend, and cannot pretend, that it derives any countenance from the conduct of other nations. *She is confessedly solitary in the use of this invention by which* RAPACITY IS SYSTEMATIZED, and A STATE OF NEUTRALITY AND WAR ARE MADE SUBSTANTIALLY THE SAME. In this absence of all other authority, her courts have made an appeal to her own early example, for the justification of her own recent practice. Your memorialists join in that appeal as affording the most conclusive and authoritative reprobation of the practice, which it is intended to support by it.

"☞ The solemn renunciation of the principle in question, in the face of the whole world, by her highest tribunal in matters of prize, reiterated in a succession of decrees, down to the year 1786, and afterwards, is powerfully confirmed by the acquiescence of Great Britain, during the first, most important, and active period of the late war, in the free and unlimited prosecution, by neutrals, of the whole colony trade of France. She did indeed, at last, prohibit that trade, by an instruction, ☞ UNPRECEDENTED IN THE ANNALS OF MARITIME DEPREDATIONS; but the revival of her discarded rule, was ☞ characterised with such circumstances of iniquity and violence, as rather to heighten, by the effect of contrast, the veneration of mankind for the past justice of her tribunals. The world has not forgotten the instruction to which we allude, or the enormities by which its true character was developed. Produced in mystery, at a moment when universal confidence in the integrity of her government had brought upon the ocean, a prey of vast value and importance; sent abroad to the different naval stations with such studied secrecy that ☞ it would almost seem to have been intended to make an experiment, ☞ HOW FAR LAW AND HONOUR COULD BE OUTRAGED BY A NATION PROVERBIAL FOR RESPECTING BOTH—☞ the heralds by whom it was first announced were the commanders of her commissioned cruisers, who at the same instant carried it into effect, with every circumstance of aggravation, if, of such an act, there can be an aggravation. Upon such conduct there was but one sentiment. It was condemned by reason and justice. It was condemned by that law which flows from, and is founded upon them. IT WAS CONDEMNED AND WILL FOREVER CONTINUE TO BE CONDEMNED BY THE UNIVERSAL VOICE OF THE CIVILIZED WORLD."

Thomas Tenant,	Henry Payson,	Benj. Williams,
John Donnel,	William Wilson,	Wm. Lorman,
Luke Tiernan,	T. Swan,	Wm. Taylor,
Thos. Hollingsworth,	Joseph Steret,	Robert Gilmor,
George Stiles,	Steuart Brown,	James Calhoun,
J. A. Buchanan.	John Collins,	Samuel Steret,
Alexr. M'Kim.	David Stewart,	Hugh Thompson,
Wm. Patterson,	Mark Pringle,	Samuel Taylor,
John Sherlock,	John Stricker.	

Baltimore, Jan. 21, 1806.

This list, like that signed to the Philadelphia memorial, embraces federalists and democrats indiscriminately—as well as citizens of various nations.

CHAPTER XV.

Newhaven. Decisive call for resistance. Unlimited pledge of of support.—Extracts from Memorial of Merchants of Newburyport. Reliance on wisdom, firmness and justice of the government.

Extracts from the Memorial of the Chamber of Commerce of Newhaven.

"Your memorialists cannot behold, without surprise and regret, ☞ *a powerful and respectable nation, bending the principles of the common law of nations, to answer political purposes, and introducing a versatile policy into the solemn adjudications of her courts.* ☞ WE HOLD IT TO BE EXTREMELY IMPORTANT THAT ALL NATIONS SHOULD COMBINE AGAINST SUCH INNOVATIONS UPON THEIR RIGHTS; and ☞ *in particular that the United States, whose geographical position gives them the best chance of maintaining neutrality, during wars in Europe,* SHOULD FIRMLY RESIST EVERY ENCROACHMENT UPON THE RIGHTS OF NEUTRAL COMMERCE.

"With these impressions of the necessity of ☞ *measures for defending our commercial rights,* which shall be firm, but temperate—and bold, yet marked with a spirit of conciliation, your memorialists cordially unite with their fellow-citizens of other commercial towns, in expressing their sentiments freely to the legislative and executive authorities of their country; with assurances of their disposition TO GIVE AID AND SUPPORT TO EVERY MEASURE OF GOVERNMENT CALCULATED TO ACCOMPLISH THIS IMPORTANT OBJECT."

Signed by order,

HENRY DAGGET,
President of the Chamber of Commerce.

Newhaven, Feb. 7, 1806.

Extracts from the Memorial of the Merchants of Newburyport.

"In many cases our vessels and cargoes have been captured, tried and condemned in courts of law, ☞ *under unusual and alarming pretences, which, if permitted to continue,* THREATEN THE RUIN OF OUR COMMERCIAL INTERESTS.

"☞ *So far from obtaining redress of our grievances by the ordinary modes and processes of law, we have in most cases been subject to heavy costs, and suffered embarrassing and distressing detention of property, even where no pretence could be found to authorize the seizure of it.*

"Having sustained these losses and injuries ☞ *in the prosecution of our lawful commerce, and in the exercise of our just rights,* we rely with confidence on ☞ *the wisdom, firmness, and justice of our government, to obtain for us that compensation, and to grant to us that protection, which* A REGARD TO THE HONOUR OF OUR COUNTRY, *no less than the rights of our citizens must dictate and require.*

Ebenezer Stocker, William Bartlett,
Stephen Howard, Moses Howard,
Edward Tappan, William Faris,
John Pearson, } *Committee.*

Newburyport, Dec. 1805.

The same outrages having been experienced by the citizens of Newhaven and Newburyport as elsewhere, we of course find the same style of complaint—the same call for redress—the same pledge of support—in one case explicitly expressed, in the other unequivocally implied.

CHAPTER XVI.

Salem memorial. Sound reasoning. Britain carries on a commerce with her enemy which she declares illegal in a neutral. Most solemn pledge of support.

Extracts from the Memorial of the Inhabitants of the town of Salem, Mass.

"On ordinary occasions they have deemed it unnecessary to apply for redress of grievances to the government of their country, confiding in the rectitude and wisdom of its councils; and though their confidence in this respect is undiminished, yet as questions of national moment are now agitated, and aggressions committed on our commerce in a manner unprecedented, they deem it their duty to approach the constituted authorities, and express their sentiments with fidelity and deliberation.

"☞ *They have witnessed with unhesitating approbation the disposition to neutrality, patronized by the general government, at times when national wrongs have been pressed with peculiar aggravations, until seemed to point to summary redress.* Firmness and moderation have happily secured all the advantages of successful war, and the sober appeal of reason carried conviction to foreign nations.

"Your memorialists, however, have witnessed, with deep regret, and deep anxiety, that to some of their tribunals they can no longer appeal for safety. ☞ *New interpretations of old rules*, and new glosses on ancient doctrine, ☞ *have been arrayed to controul the circuit of neutral commerce, and restrain, if not annihilate, its most beneficial operations.* Their surprise has been the greater, because ☞ *the nation who has adopted them, is one from whom we had a right to expect the most conciliatory conduct; since* ☞ *with her ultimately centre the proceeds of our commerce, and* ☞ *from her we obtain the greatest portion of her staple manufactures.*

"The interests of Great Britain and the United States, even in this respect mutual. We consume the products of her industry; and give her, in return, besides large sums of money, ☞ *raw materials by which she may levy new contributions.* Similarity of manners and habits, of language and education, have added artificial inducements for intercourse, and gained for her among us a respect not slightly to be viewed, or inconsiderately forfeited. ☞ *On all occasions the United States have exhibited towards her an amicable interest, and a just, it may be added, a generous policy.* If, therefore, we had favours to ask or receive, our claims have been peculiarly strong upon her; because we have been emphatically the sinews of her opulence. But it is believed that the United States never asked of any nation more than justice, and are willing to be bound by the established rules of commerce. Your memorialists therefore express deep regret, because a confidence has been shaken which may not easily be restored; and deep anxiety, because the principles alluded to, if conceded, ☞ MUST EVENTUALLY PROSTRATE OUR TRADE, OR LEAVE IT AT THE ARBITRARY DISCRETION OF BELLIGERENTS. *Whether peace or war prevail, the baneful influence will every where be felt; and in the latter predicament, we shall, as neutrals, share the mischiefs of it without the chances of benefit.*

"The principle, recently established by Great Britain, is, as your memorialists understand it, that ☞ *it is not competent for a neutral to carry on in war, any trade, which he is not accustomed to do in peace; and that he shall not be permitted to effect that in a circuitous, which is inhibited in a direct trade:* as corollaries from this principle, she insists that the colonial trade exercised by neutrals, shall not extend beyond the accustomed peace establishment; and that whenever the neutral imports into his own country colonial produce with the *intention* to tranship it to the mother country, if a di-

rect intercourse be interdicted in peace, the circuity of the route shall not protect the property from confiscation. It seems admitted that such circuitous route, with such intention, is not considered as evidence of enemy's property, confiscable within ordinary rules; but ☞ *as a distinct, substantial, and condemnatory principle, independent both in efficacy and application.* ☞ *For it yields not to the most clear proof of neutral property, or innocent though misdirected conduct.* The unaccustomed trade, or the importation with specific *intentions*, are the tests by which every voyage is to be tried.

"In another view, the rule appears to your memorialists not less untenable and unjust. It is stated, as a part of it, that if colonial produce be imported by any person with an *intention to transship* it on his own account to the mother country, it is subject to confiscation. But if imported for the purpose of general commerce, and thrown into the market for general transhipment, it is within the exception. To distinguish between *general* and *particular intentions*, and to separate things so subtle in their own natures, and almost incapable of proof, for the purposes of national decisions, seems a *refinement reserved for the present age.* The foundation of this modern doctrine is laid in this principle, that the neutral has no right, by an extension of his trade, to afford supplies to the belligerent to ward off the blows of his enemy, and to oppose for a longer period the dominion of his force. But to this your memorialists deem it a conclusive answer, that the proposition proves too much; that, if true, it is a foundation for a far more broad and sweeping principle; that ☞ *every commerce with the belligerent is inhibited to neutrals; for every commerce assists him in resistance, and diminishes his necessities.* A doctrine thus comprehensive, has never yet been avowed, and it is presumed never will be. Yet such must be the logical conclusion; and it shews irresistably the absurdity of the assumed premises.

"☞ *The accustomed, as well as the unaccustomed trade, is within the terms, and must stand or fall together.* Either the doctrine is unsound, ☞ AND ASSUMED AS A MERE PRETEXT FOR PREDATORY SEIZURES; or neutrals have no rights as such; and must endure the calamities inflicted by belligerents in a contest in which they have no voice, and in which they can reap only injury.

"Other considerations add force to the preceding remarks. It is well known that in time of war neutrals cannot carry on even their accustomed trade in its full extent. They are prohibited from trading in contraband goods, and to blockaded ports. Variations necessarily arise in the relations of the hostile powers, which the neutral ought to possess a right to turn to his profit, as an indemnity for the obstructions of his old trade. These obstructions are of a very serious nature. ☞ *When exercised in the mildest form, they produce* OPPRESSIVE SEARCHES AND DELAYS, EXPENSIVE LITIGATION, AND OFTEN A TOTAL FAILURE OF AN OTHERWISE LUCRATIVE VOYAGE. Reason would therefore seem to declare, that for hazards of this nature, the benefits arising to neutrals from war, are not more than a just equivalent.

"It is somewhat singular, that ☞ *a belligerent should invite a trade with itself, which it declares fraudulent with its enemy; and should lift the arm of power to crush the neutral, whose conduct is criminal only when it ceases to be partial!*

"Such are the remarks your memorialists respectfully submit upon the rule considered in itself. On this examination they confess it appears to them, fundamentally incorrect. ☞ *It subjects commerce to fluctuating decisions: overthrows the ordinary rules of evidence; and places an immense power to be wielded at the uncontroulable discretion of magistrates appointed by a single party.*

"It therefore wants all the discriminative features of a fundamental proposition of the law of nations—uniformity, precision, and general applicability. It would, in their opinion, if established, create greater evils than it professes to redress, by *perpetuating strife, destroying the emoluments of trade, embarrassing commercial intercourse, and* ☞ LETTING LOOSE THE

PASSIONS TO PREY ON THE MISERIES, AND PLUNDER THE PROPERTY OF THE INNOCENT. *It would subject neutrals to hazards nearly as perilous as those of actual hostilities;* and independent of its influence in stimulating to revenge and retaliation, ☞ IT WOULD TRANSFER THE BENEFITS OF PEACE TO ANY VICTORIOUS USURPER OF THE OCEAN.

"But your memorialists are unwilling to rest the question on the preceding grounds, however supported by reason. They appeal to higher considerations; and ☞ deny that the rule is, or ever has made, a part of public law, or acquired by usage or prescription, any authority among nations.

"Every page appears to give a direct contradiction. They adhere to the ancient interpretation of the law of nations, which pronounces that the goods of an enemy are lawful prize, and those of a friend free; that the neutral, except in case of blockade and contraband, has a right to the uninterrupted pursuit of his commerce, when carried on with his own property, at all events in a direct trade from his own country.

"They conceive ☞ that *it is not within the authority of any nation to legislate for the rest;* and that the law of nations being founded on the tacit convention of the nations that observe it, can be binding only on those nations who have adopted it.

"It is conceded by the British Civilians that during the American revolution the doctrine was entirely intermitted, and the commerce of neutrals was pursued according to the ancient code. Many cases of this period might be cited from the admiralty records, which overthrow the rule, and expressly vindicate the opposite. If precedents are to decide, the ☞ judgments of a tribunal established in Great Britain under her sole appointment, and acting with open powers, must surely, when acquiescence creates the law, complete the renunciation of the contested rule.

"It is not the least singularity attending the conduct of the present war, that ☞ *Great Britain has licensed her subjects in a trade which she declares fraudulent in others; that* ☞ *she admits them unmolested to supply her enemy with means of resistance, when she declares confiscation is the penalty of neutral succour.* Were the rule ever so just in itself, it certainly demands relaxation, when ☞ *the belligerent partakes the profit, and connives at the breach.* If its foundation be the unlawfulness of affording assistance to a distressed enemy, surely ☞ *it ought not to be enforced when that assistance is an authorised object of speculation with the distressing belligerent.*

"It is our pride to believe that the American merchants, with very few exceptions, are as distinguished for good faith as any on earth. ☞ *The imputation thrown on them is a masked pretence to repel the odium of vexatious injuries, and to excuse violations of law, which cannot be justified.*

"Your memorialists wish to take no part in the contests which now convulse the world; but acting with impartiality towards all nations, to reap the fruits of a just neutrality. If however, conciliation cannot effect the purpose of justice, and ☞ AN APPEAL TO ARMS be the last and necessary protection of honour, they feel no disposition to decline the common danger, or shrink from the common contribution.

"Relying on the wisdom and firmness of the general government in this behalf, they feel no hesitation to PLEDGE THEIR LIVES and PROPERTIES *in support of the measures which may be adopted to vindicate the public rights, and redress the public wrongs.*"

John Hathorne,	Benj. Crowninshield, jun.	*Committee.*
Joseph Sprague,	Joseph White, jun.	
Jonathan Mason,	Joseph Story.	

Salem, Jan. 20, 1806.

CHAPTER XVII.

Reflections on the Memorials. Uniform call for redress. Uniform pledge of support.

I BEG the reader will devote a few minutes to a re-perusal of these important, these invaluable documents. Without bearing in mind their contents, it is impossible to form a correct estimate of the policy of this country, or of the merits and demerits of the two parties, whose senseless, and envenomed, and infuriated hostility, was of late rapidly sending to perdition the noblest country, the happiest people, and the best form of government in the world.

We must not forget for an instant, the cause of all these impassioned complaints, these invocations of redress, these pledges of support. This is the most important item in the affair. It was simply the right to re-export the productions of the colonies of the enemies of Great Britain—a right, however clear and indefeasible, which was wholly unessential to the prosperity of our country. We might have abandoned it without the sacrifice of an iota of the happiness of our citizens, or the real honour of the nation.

No man of decency can deny, after the perusal of these documents, that the mercantile citizens of the United States urged—it would not be extravagant to say, goaded—the government into a resistance of the high-handed and oppressive pretensions and outrages of Great Britain. Every paragraph establishes this important fact. The expression of the public sentiment on this subject, was nearly simultaneous from Newburyport to Baltimore.

That they calculated upon war, as the dernier resort, is obvious from the phraseology. It cannot be misunderstood. When the Boston merchants express their reliance that

> "Such measures will be promptly adopted, as will tend to disembarrass commerce, ASSERT OUR RIGHTS, and support the dignity of the United States,"

it would be absurd and ridiculous to suppose these measures were to be limited to mere negociation, the utter inefficacy of which had been so often experienced. A child would spurn at the idea of "*supporting the dignity of the United States*" by negociation alone. This had already been found to be a very feeble resource, and might have been protracted for an age, without "*asserting any of our rights.*" Their views were not so limited. No. War, war, war, must indubitably have been in their contemplation, should negociation have an unfavourable issue.

Can any man of common sense doubt, can any man of character, deny, that the merchants of Philadelphia calculated on WAR, when, after having suggested,

"That every measure not inconsistent with the honour and interests of the nation, by which the great objects of redress and security might be attained, should be first tried,"

they add

"If such measures should prove ineffectual, whatever may be the sacrifice on their part, it will be met with submission."

When the merchants of Newburyport

"Rely with confidence on the FIRMNESS and JUSTICE of the government, to obtain for them compensation and protection,"

they must have been insane, if they did not calculate upon WAR as the *ultima ratio*. These are the worthy citizens who stand recorded in the annals of their country, as having since *patriotically* pledged themselves to resist their own government, "EVEN UNTO BLOOD."

And who can pretend, that the merchants of Newhaven, when they called upon the government

"Firmly to resist every encroachment upon the rights of neutral nations,"

did not calculate upon war? And did they not most solemly pledge themselves, when they tendered the

"Assurances of their disposition to give aid and support to EVERY MEASURE calculated to accomplish this important object."

And when the New-York merchants declared their

"Reliance upon the government of their country, that their rights would not be abandoned,"

and that the crisis required

"ALL THE ENERGY, as well as the prudence and wisdom of the government,"

can there be found a man who will pretend that war was not calculated on, unless other means might be found to accomplish the end in view? It cannot be.

And can there be a more explicit pledge given, than is to be found at the close of their memorial—

"We pledge our united support in favour of all the measures adopted to vindicate and secure the just rights of our country."

I am credibly informed that there are subscribed to this memorial, names of persons who lately prayed fervently and openly, for the destruction of the armies of the United States invading Canada! This is most wonderfully consistent and patriotic.

But the merchants of Salem are more explicit on the subject of war than any of their mercantile brethren elsewhere. They leave no room for inference or supposition. They most unambiguously declare their views.

"If, however, conciliation cannot effect the purpose, and AN APPEAL TO ARMS be the last and necessary protection of honour, they feel no disposition to decline the common danger, or shrink from the common contribution."

And was there ever, since the world was formed, a more solemn pledge given, than the one with which they close their memorial, and which I here repeat—

"Relying on the wisdom and firmness of the general government, in this behalf, they feel no hesitation, ☞ to pledge their lives and properties in support of the measures which may be adopted to VINDICATE THE PUBLIC RIGHT, AND REDRESS THE PUBLIC WRONGS."

In the next chapter, I shall investigate the question, how far these pledges were redeemed.

CHAPTER XVIII.

Character of merchants by Edmund Burke. Illiberal and unfounded. Merchants as various in character as other classes of men. American merchants shrewd and intelligent. Most lamentably blinded by faction to their dearest interests. Example of England worthy of imitation. Struggles between ins and outs. All unite against the common enemy. American factions more deleterious than those in England.

EDMUND BURKE has left on record a most unfavourable character of merchants, which has been a thousand times quoted to their disparagement. He has, if my memory do not deceive me, asserted, that they have no national attachments or patriotism—that their ledger is their Bible—and gold their God.

This character is unfounded and illiberal. All sweeping denunciations of entire classes are unjust. The merchants are as various in their characters as any other description of men. There are among them numbers of persons of the highest respectability—great patriotism—a high sense of honour—great liberality—and possessing all the other virtues that can adorn the human character. There are likewise some as base and vile as the others are excellent.

There is nothing in mercantile affairs or commerce, that has a tendency to deteriorate those who follow the profession. It is inconceivable how it should be otherwise. The large scale on which commerce is conducted, is rather calculated to expand than illiberalize the mind.

Moreover, a considerable portion of the merchants having enjoyed the advantages of the best education, must, from that circumstance alone, have a fair chance of not meriting the denunciation of Edmund Burke.

That the American merchants are, in general, shrewd, intelligent, and penetrating, cannot be denied. They are, in these respects, at least on a level with the merchants of any other country.

It must, however, be acknowledged, that in the course they have steered from the commencement of the year 1806, when the preceding memorials were presented to Congress, till the declaration of war, and during its continuance, they have been as lamentably blind to their own vital interests, and to the highest interests of their country, as if they were almost altogether deficient of the reasoning faculty. They have inflicted incalculable injury on both. Indeed, so intimately in this case were these interests connected, that both were, and must necessarily be, equally affected by the same wound. I hope to make this appear to their conviction, and that of the public.

The reader has seen that the mercantile part of the community felt the highest indignation in 1806, at the pretensions of England to limit the American trade in the colonial productions of her enemies; that they very strongly remonstrated with the government to resist those pretensions; and that *they pledged themselves to their country and to the world, to support the government in whatever measures might be necessary to obtain redress—obviously, evidently, and undeniably contemplating even war with all its horrors.* I propose to examine how far their practice corresponded with their professions and pledges.

The pacific measures adopted to effect the object of their desires were—a prohibition of the importation of some of the most important of the manufactures of Great Britain—an embargo, when the injuries we experienced from that nation had vastly increased—and non-intercourse.

Did the American merchants redeem their pledge? Did they preserve their faith? Did they support the government in all or any of these measures?

No. They indubitably did not. There is not a candid federalist from New-Hampshire to Georgia, that will assert, that the merchants, as a corps, supported the government in any one of these measures. I say distinctly, *as a corps.* There were illustrious exceptions. But the fidelity of these exceptions in redeeming their pledge was unavailing. ☞ *The pledge was forfeited by the corps—completely forfeited.*

The clear, indisputable, and melancholy fact is, that after having impelled and goaded the government into measures to procure redress, they not merely withheld their support from those measures, but actually as far as depended on them, prevented their success. They hung hostilely on the skirts

of the government, and defeated the embargo, non-intercourse, and all the other restrictive measures.

I have thus far considered the point as it respected their plighted faith, and the obligation they thereby incurred to support the government in measures which had arisen out of their memorials, remonstrances and solemn pledges.

I now enter on the consideration of their conduct, as it demonstrates an unparalleled blindness towards their own interests, and those of their country.

Whatever misjudging prejudice, or faction, devotion to England, or hostility to France may pretend, the solemn fact is, that the United States were most grievously outraged and injured by Great Britain. The violence or excesses of France, enormous, and iniquitous, and indefensible as they were, afforded no justification to those of her enemy. "Retaliation," *in the words of Mr. Bayard and Mr. Lloyd,** "was A MERE PRETENCE." ☞ *If* A *rob me of my hat, it does not follow that* B *has a right to retaliate on* HIM, *by robbing* ME *of my coat or waistcoat.* And still less, if A *threaten* to rob me, but has not the power to do it, has B the right to *retaliate* on *him* by robbing *me.* France pretended to blockade England, and seize neutral vessels bound there—but was unable to effect her purpose through her destitution of naval power. England retaliated *upon France* by SEIZING OUR VESSELS bound to that country; and persevered in that lawless course for entire years, having depredated on the United States to the amount of many millions, and with every species of aggravation, of which such an outrage is susceptible—and forsooth ☞ *all was perpetrated to punish France, whom she was at the same time supplying with our productions herself!!!* There is not in the history of the world any conduct more gross or less defensible.

When we are laid in our graves, and our factions and convulsions are buried in oblivion, posterity will pass a heavy sentence of condemnation upon these odious, these oppressive, these scandalous transactions. I am sure such is the decision of all impartial and unprejudiced men in Europe. I would forfeit a world, were I possessed of one, if this be not "Alexander the deliverer's" sentiment.

That America has been the aggrieved nation, and England wholly the aggressor, is palpable from one circumstance. In all the diplomatic intercourse that has taken place between the cabinet of St. James's and that at Washington, the former has hardly ever made the slightest complaint of injustice

* In a subsequent chapter, I shall quote the sentiments of these gentlemen at full length.

against the latter, except occasionally of *partiality towards France*. This, if it mean any thing, must certainly mean that ☞ *we bore French depredation, insult, and outrage, more patiently than English outrage, insult, and depredation*. If it have any other meaning, I shall be gratified to have it demonstrated.

We inflicted on France one solid, substantial, important, and most destructive injury, from which England was wholly free. We uniformly submitted from 1792 to 1812, to the violation of our neutrality, to the material benefit of one belligerent and extreme disadvantage of the other. ☞ *Our commercial marine was a constant nursery for Great Britain, to supply her navy with seamen to annoy and distress her enemy.*

This was a constant cause of war against us by France. It was in direct hostility with fundamental principles of the law of nations. It was affording a most decisive and all-important aid to one belligerent for the destruction of the other, to an enormous extent, I believe unparallaled in the history of Europe.

It will not, from the premises, be denied, that from the declaration of war between France and England, the latter power constantly made inroads upon us—and we as constantly sought redress—and that our principal grievances were the outrages practised on our seamen, and the reiterated and intolerable infringement of our commercial rights and privileges.

Under this view of the case, the correctness of which will not, I trust, be disputed, what course ought an enlightened body of merchants to steer?

Suppose them patriotic, and public spirited, and magnanimous; a regard to the national honour and interest would impel them to uphold the government of their own country in a struggle against the lawless outrages of a foreign nation. But even suppose them base, sordid, selfish, avaricious, and without a single spark of patriotism, public spirit, or liberality, ought not their very selfishness dictate the same course? How could they fail to see that every step they took to harrass, to cripple, to embarrass their own government, was a step towards ennabling the foreign and aggressing nation, to triumph over their country, and to enforce its claims, to the manifest and immense injury of their own most vital interests? I should pity the fatuity of a lad who had been but six weeks in a counting-house, and did not at once perceive the cogency of these arguments. This point is clear, and plain, and convincing in theory. But it does not rest on theory. We have a strong and practical illustration of it by our own melancholy experience, an illustration which the merchants of this coun-

try will long have cause to deplore. By the jacobinical, and seditious, and disorganizing combinations to oppose the measures calculated to procure redress, England was enabled to enforce the orders in council for four years and an half; whereby, during sixteen months, she interdicted our trade with all Europe except Sweden and her own dependencies: that is to say, ☞ *she forbade us to trade with about one hundred and thirty millions of the people of Europe.*—For the remainder of the time, when she somewhat relaxed her orders, ☞ *she proscribed our trade with at least fifty millions.*

Never has the sun in his course beheld such transcendent, such lamentable, such irreparable folly as the merchants of the United States have been guilty of in this instance. Throughout the whole of the arduous conflict between the United States and Great Britain, ☞ *they have constantly, and invariably, and most energetically thwarted, and harrassed, and embarrassed their own government.* They have defended the conduct of Britain throughout—and as constantly laboured, in the face of reason, justice, and common sense, to put their own nation in the wrong. And for what end? ☞ *to serve the purposes of party;* ☞ *to enable a few ambitious men, who were out of office, and panted to get in, to accomplish this object!!!*

I once more wish to qualify these observations. There were here, as in a former case, splendid exceptions among the merchants, citizens who displayed the most exalted patriotism. These exceptions do not invalidate the rule. I speak of the merchants as a corps;—for it is thus only they can be considered in this discussion;—as their operations on the government and nation were felt—and more particularly, as they acted in the eastern states.

Any one of the three pacific measures adopted by this government, had it been duly supported by the mercantile interest, would have obliged Great Britain to redress our wrongs, and very speedily. We should then have enjoyed an unshackled commerce. And had our merchants, either from patriotism or selfishness, submitted to a short temporary privation of business, *they would have been repaid by a tenfold harvest of most lucrative commerce.* But faction led them astray. They rendered wholly nugatory all the measures adopted to guard their interests, and to extort justice for their wrongs. Great Britain was thus encouraged to proceed in her aggressions. This led to a wasting war. To the hostile opposition of the mercantile class, therefore, we may fairly ascribe its ravages.

In all the wild, frantic, and fatuitous career of faction—from the earliest records of time to the present day, I be-

lieve there is no parallel case. Never did an intelligent, enlightened and respectable body of men, make so immense, so wanton, so irrecoverable a sacrifice of their dearest interests, and so completely contrary to the dictates of reason and common sense.

☞ *If Belzebub or Lucifer held the reins of government, policy and self-interest would dictate that in all contests with foreign nations, he ought to be supported unless most manifestly and egregiously unjust.* ☞ *Public spirit and selfishness equally combine to enforce this precept.*

How transcendently superior Great Britain towers over us, in this respect! What a sublime lesson she holds out—what a noble example she offers us to follow.

She is torn by faction like America. There is a constant struggle between the incumbents in office and those who pant after the seats they fill. But whenever the honour or vital interest of the nation is at stake, party in a great measure dies away, or, at least, becomes incapable of injuring the common cause—all unite under the national standard—and, till the end in view is accomplished, distinctions are almost wholly lost in one common designation, supporters of their country's interest and honour.

Not so in America. It is a fatal truth, that at the moment, when this page was written, [Sept. 1814] when not merely our interest, and our honour, but even our very salvation was jeopardized, *faction raged in many places with unabated violence;* and wicked men were incessantly employed in exciting our citizens to imbrue their hands in the blood of their countrymen,* instead of preparing to oppose a vindictive enemy. May the God of peace and love, dispel the clouds that impend over us—banish our discords—and once more unite us in the bonds of harmony and charity towards each other. Amen.

CHAPTER XIX.

British Depredations brought on the tapis in the Senate of the United States. Condemnatory Resolutions passed. Messrs. Pickering, Hillhouse, Bayard, and Tracy, in the affirmative. Ambassador extraordinary to England. British goods prohibited.

In consequence of the presentation of the mercantile memorials, the Senate of the United States took the subject

* This was the inevitable tendency, although not the declared purpose, of a very considerable number of the publications in certain newspapers.

into their most serious consideration; and passed the following Resolution, on the 10th Feb. 1806.

"Resolved that the capture and condemnation, under orders of the British government, and adjudications of their courts of admiralty, of American vessels and their cargoes, on the pretext of their being employed in a trade with the enemies of Great Britain prohibited in time of peace, is ☞ AN UNPROVOKED AGGRESSION UPON THE PROPERTY OF THE CITIZENS OF THE UNITED STATES—☞ A VIOLATION OF THEIR NEUTRAL RIGHTS—AND ☞ AN ENCROACHMENT UPON THEIR NATIONAL INDEPENDENCE."*

I hope the reader will attentively peruse this resolution. It is clear and explicit. It solemnly protests against the revival of the exploded rule of the war of 1756, as

"An encroachment upon the national independence, and a violation of our neutral rights."

Stronger language could not well be used. What renders it peculiarly remarkable, is, that it was carried by ☞ *an unanimous vote of the Senate*, 28 members present. But secondly and chiefly, I beg it may be borne in eternal remembrance, that among the names of the senators who thus voted, are to be found those of Messrs. PICKERING, Hillhouse, Bayard, and Tracy.

Another resolution, passed February 14, stands in these words:—

"Resolved, that the president of the United States be requested ☞ to DEMAND the restoration of the property of their citizens captured and condemned ☞ *on the pretext of its being employed in a trade with the enemies of Great Britain, prohibited in time of peace*; and ☞ *the indemnification of such American citizens for their losses and damages* sustained by these captures and condemnations; and to enter into such arrangements with the British government, on these and all other differences between the two nations, (and particularly respecting ☞ the IMPRESSMENT OF AMERICAN SEAMEN) as may be consistent with the honour and interests of the United States, and manifest their earnest desire, for themselves and their citizens, of that justice to which they are entitled."†

There was a division upon this resolution. It was carried by twenty affirmative, against six negative votes. Messrs. PICKERING, Hillhouse, Bayard, and Tracy were in the affirmative, as on the former resolution.

To obtain redress from Great Britain, four modes presented themselves—negotiation—non-intercourse—embargo, and war.

The first in order required to be first essayed. Accordingly the administration entered upon negotiation, and, to attach more solemnity to it, Mr. Wm. Pinkney was appointed minister extraordinary, and united with Mr. Monroe, then resident at the court of St. James's.

* Journals of the Senate for 1806—page 126.
† Idem, page 131.

To give the negotiation a greater likelihood of success, an act was passed,* making a strong appeal to the interest of Great Britain. By this act, the importation into the United States was prohibited, of a variety of her most important manufactures, viz.

"All articles of which leather is the material of chief value.
"All articles of which silk is the material of chief value.
"All articles of which hemp or flax is the material of chief value.
"All articles of which tin or brass is the material of chief value, tin in sheets excepted.
"Woolen cloths, whose invoice prices shall exceed five shillings sterling per square yard.
"Woollen hosiery of all kinds.
"Window glass and all the manufactures of glass.
"Silver and plated ware.
"Paper of every description.
"Nails and spikes.
"Mats and clothing ready made.
"Millinery of all kinds.
"Playing cards.
"Beer, ale, and porter; and pictures and prints."

This act was passed on the 18th day of April, 1806, in compliance with the remonstrances of the merchants, as a means of inducing England to abandon her unjust pretensions, and to cease her depredations. And with a laudable wish to afford her time to weigh its consequences, and to prevent a rupture, its operation was not to commence till the 15th of the following November, a period of seven months. Thus reluctant was our government to have recourse to extremities, notwithstanding the grievous provocations that had been offered. It is impossible to conceive a more lenient mode of proceeding, or one reflecting more credit on the forbearance of an injured and insulted nation.

Still further to evince the wish of our rulers to preserve peace, the operation of this act was suspended in December 1806, till the 1st of July 1807†—and moreover, the president was authorised, "if in his judgment the public good should require it, to suspend it still farther till the second Monday of December in the same year."

Here let us pause a moment. The United States had suffered depredations on their commerce to an enormous amount, by the revival of a pretended rule of the law of nations, which had been formally abandoned, and of which revival no previous notice had been given. And instead of having recourse to reprisals, or to a declaration of war, either of which would have been perfectly just, they adopted the mild measure of restraining the commerce of the aggressor, in order to make it his interest to do them justice. Never was greater forbearance shewn—never was forbearance worse requited.

* Laws of the United States, vol. vi. page 80.
† Idem, page 220.

CHAPTER XX.

Attack on the Chesapeake. Proclamation interdicting our harbours to the British.

WHILE the depredations sustained by our merchants were yet under discussion, a tragical affair occurred, which still further unfortunately embroiled the two nations.

The Chesapeake, capt. Gordon, sailed from Norfolk on the 22d of June, 1807. The Leopard, of 50 guns, which was moored near her, weighed anchor shortly afterwards. She soon overtook the Chesapeake, and demanded four sailors, three of whom had deserted from the British frigate Melampus. The fourth was said to have deserted from a British merchant vessel. Commodore Barron, who was on board, refused to deliver them: and in consequence, the Leopard commenced an attack upon the American frigate, which was wholly unprepared for resistance. Three men were killed, and sixteen wounded; among the latter was the commodore, who struck his flag, and surrendered the vessel. Capt. Humphreys of the Leopard sent an officer on board the Chesapeake, who seized four of her crew, William Ware, Daniel Martin, John Strachan, and John Wilson

Of the four persons, thus seized, one was brought to trial at Halifax, and, being found guilty of desertion, was hanged. One died in confinement. The other two were retained in bondage till June 13th, 1812, when they were restored to freedom on board the Chesapeake, at Boston.

This outrage excited the utmost indignation thoughout the United States, and for a time united all parties in the common clamour for reparation of the insult and injury, or war. The federalists were as loud in their denunciations of the lawless violence as the democrats.

I have already stated the prudence of the then president, Mr. Jefferson. The attack took place on the 22d of June—and he delayed the extra meeting of congress till the 26th of October, to afford time for the effervescence of the public to subside. This wise measure saved the country from war at that period.

But to guard against similar outrages, and against others which we had suffered within our own jurisdiction from British vessels of war, the president issued a proclamation forbi ding them the entrance into our ports and harbours, of which I subjoin a copy.

PROCLAMATION.

During the wars which, for some time, have unhappily prevailed among the powers of Europe, the United States of America, firm in their principles

of peace, have endeavoured by justice, by a regular discharge of all their national and social duties, and by every friendly office their situation has admitted, to maintain with all the belligerents their accustomed relations of friendship, hospitality and commercial intercourse. Taking no part in the questions which animate the powers against each other, nor permitting themselves to entertain a wish but for the restoration of general peace, they have observed with good faith the neutrality they assumed: and they believe that no instance of a departure from its duties can be justly imputed to them by any nation. A free use of their harbours and waters, the means of refitting and of refreshment, of succour to their sick and suffering, have, at all times, and on equal principles, been extended to all, and this too amidst a constant recurrence of acts of insubordination to the laws, of violence to the persons, and of trespasses, on the property of our citizens, committed by officers of one of the belligerent parties received among us. In truth, these abuses of the laws of hospitality have, with few exceptions, become habitual to the commanders of the British armed vessels hovering on our coasts, and frequenting our harbours. They have been the subject of repeated representations to their government. Assurances have been given that proper orders should restrain them within the limits of the rights and of the respect due to a friendly nation: but these orders and assurances have been without effect; no instance of punishment for past wrongs has taken place. At length, a deed, transcending all we have hitherto seen or suffered, brings the public sensibility to a serious crisis, and our forbearance to a necessary pause. A frigate of the United States, trusting to a state of peace, and leaving her harbour on a distant service, has been surprised and attacked by a British vessel of superior force—one of a squadron then lying in our waters, and covering the transaction; and has been disabled from service, with the loss of a number of men killed and wounded.—This enormity was not only without provocation or justifiable cause, but was committed with the avowed purpose of taking by force, from a ship of war of the United States, a part of her crew: and that no circumstances might be wanting to mark its character, it had been previously ascertained, that the seamen demanded were native citizens of the United States. Having effected his purpose, he returned to anchor with his squadron within our jurisdiction. Hospitality under such circumstances ceases to be a duty: and a continuance of it, with such uncontrolled abuses, would tend only by multiplying injuries and irritations, to bring on a rupture between the two nations. This extreme resort is equally opposed to the interest of both, as it is to assurances of the most friendly dispositions on the part of the British government, in the midst of which this outrage has been committed. In this light, the subject cannot but present itself to that government, and strengthen the motives to an honourable reparation of the wrong which has been done, and to that effectual control of its naval commanders, which alone can justify the government of the United States in the exercises of those hospitalities it is now constrained to discontinue.

In consideration of these circumstances, and of the right of every nation to regulate its own police, to provide for its peace and for the safety of its citizens, and consequently to refuse the admission of armed vessels into its harbours or waters, either in such numbers or of such descriptions, as are inconsistent with these, or wi thhe maintenance of the authority of the laws, I have thought proper, in pursuance of the authorities specially given by law, to issue this my proclamation, hereby requiring all armed vessels bearing commission under the government of Great Britain, now within the harbours or waters of the United States, immediately and without any delay, to depart from the same; and interdicting the entrance of all the said harbours and waters to the said armed vessels, and to all others bearing commissions under the authorityof the British government.

And if the said vessels, or any of them, shall fail to depart as aforesaid, or if they or any others, so interdicted, shall hereafter enter the harbours or waters afoirsaid, I do in that case forbid all intercourse with them or any of them, their officers and crews; and do prohibit all supplies and aid from being furnished to them or any of them.

And I do declare and make known, that if any person from, or within the jurisdiction and limits of the United States, shall afford any aid to any such vessel, contrary to the prohibition contained in this proclamation, either in refitting any such vessel, or in furnishing her, her officers, or crew, with supplies of any kind, or in any manner whatsoever; or in if any pilots shall assist in navigating any of the said armed vessels, unless it be for the purpose of carrying them, in the first instance, beyond the limits and jurisdiction of the United States, unless it be in the case of a vessel forced by distress, or charged with public despatches as hereinafter provided for, such person or persons shall, on conviction, suffer all the pains and penalties by the laws provided for such offences.

And I do hereby enjoin and require all persons bearing office, civil or military, within or under the authority of the United States, and all others, citizens or inhabitants thereof, or being within the same, with vigilance and promptitude to exert their respective authorities, and to be aiding and assisting to the carrying this proclamation, and every part thereof, into full effect.

Provided nevertheless, that if any such vessel shall be forced into the harbours or waters of the United States by distress, by the dangers of the sea, or by the pursuit of an enemy, or shall enter them charged with despatches or business from their government, or shall be a public packet for the conveyance of letters or despatches, the commanding officer immediately reporting his vessel to the collector of the district, stating the object or causes of entering the said harbours or waters, and conforming himself to the regulations in that case prescribed under the authority of the laws, shall be allowed the benefit of such regulations respecting repairs, supplies, stay, intercourse and departure, as shall be permitted under the same authority.

In testimony whereof, I have caused the seal, &c.

Given at Washington the second day of July, one thousand eight hundred and seven, and of the independence of the United States the thirty-first.

TH. JEFFERSON.

By the President,
JAMES MADISON, *Secretary of State.*

At this distance of time, it is hardly possible to realize the indignation, the abhorrence, the resentment, universally excited by the outrageous conduct of Captain Humphreys. It pervaded every quarter of the union, without exception. All party distinctions were lost for the moment. Federalists and democrats, foreigners and natives, all united in the strongest call upon the government to procure redress for the outrage. War was contemplated throughout the union, and there was hardly a meeting held, of which the members did not most solemnly pledge themselves to support the constituted authorities in whatever measures might be requisite for the defence of the national rights and national honour.

To enable the reader to form some idea of the fervid state of the public mind, I submit the following extracts to his perusal. They are fair specimens of the universal sentiment on this interesting topic.

Extract from the proceedings of a meeting of the citizens of Richmond, held July 1, 1807.

"*Resolved,* That while we deprecate the horrors of war, and approve all honourable means of averting them, we possess the firm hope that the government of the United States *will avenge this unparalleled outrage with the spirit which*

becomes the nation, and which the nation feels; believing as we do, that however unequal may be our naval strength, our enemies have nevertheless vulnerable points within our reach, through which we may be able to strike them vitally."

Extract from the proceedings of the citizens of West Chester, July 4, 1807.

"*Resolved unanimously*, That we shall consider the government of Great Britain as having forfeited all claim to the friendship and hospitality of the government and people of the United States, until ample and proper satisfaction be made; and in conformity therewith, we do solemnly pledge ourselves to maintain the strict observance of the proclamation of the president of the United States, by every means in our power.

"*Resolved*, That *we shall, at all times, be prepared to encounter all hazards, to maintain the rights and independence of our country with our lives and our fortunes*; and that we will support the administration of the general government in every proper measure which it may adopt, in the alternative of a coerced retribution of our wrongs, or in calling forth the energy and resources of the people at this important crisis."

Extract from the proceedings of the citizens of Lewistown and its vicinity, July 10, 1807.

"Resolved unanimously, That *the repeated aggressions and violations committed by Great Britain against all neutral nations in general, and particularly against the persons and privileges of our citizens*, as a free and independent people, have excited in us just abhorrence and indignation; that the late outrage by the Leopard ship of war against the Chesapeake, we consider as *a premeditated insult to our government and national character, and wearing so barbarous an aspect, that longer patience would degrade the name of Americans.*

"Resolved unanimously, That if upon the meeting of Congress, it shall be found necessary to resort to hostile measures against Great Britain for the attainment of justice, *we will cheerfully submit to any deprivations, or hardships attendant on a state of war*; and we will make every exertion to perfect ourselves in the military art, and equip ourselves to oppose the base and cowardly enemy of our country."

Extract from the proceedings of the citizens of Alexandria, June 27, 1807.

"Resolved, That the tyrannic conduct of the British nation on the ocean has justly rendered her odious among all civilized powers.

"Resolved, *That we view the late savage and dastardly outrage committed by the Leopard British ship of war on the United States frigate Chesapeake, with due indignation.*"

Extract from the proceedings of the citizens of Wilmington, Delaware, July 4, 1807, the venerable John Dickinson in the chair.

"Resolved, That we view with the *strongest sentiments of indignation and abherrence the late unprovoked, lawless, and ferocious attack made by the British ship of war Leopard upon the frigate Chesapeake*, and the daring insult offered thereby to the flag, the government, and the people of the United States."

Extract from the proceedings of the citizens of Baltimore, June 30, 1807.

"Resolved unanimously, That we view with indignation and horror the wanton attack lately made upon the Chesapeake frigate by the British ship of war, Leopard, by which many of our fellow-citizens have been killed and wounded, and the government and flag of our country most grossly insulted.

"Resolved unanimously, That we have perfect confidence in the wisdom and firmness of the administration to enforce satisfaction for an outrage so glaring and injurious to the honour and dignity of our country.

"Resolved unanimously, That *we will with our lives and fortunes support the government in all such measures as they may adopt on this momentous occasion*, to obtain redress and satisfaction for the outrage aforesaid."

Extract from the proceedings of the citizens of Philadelphia, July 1, 1807. Joseph Hopkinson, esq. secretary.

"Resolved, That the conduct of Great Britain towards the United States, has been too often marked by hostility, injustice, and oppression; and that the outrage committed by the Leopard, one of her ships of war, under the express orders of one of her admirals, upon the Chesapeake, a frigate belonging to the United States, *is an act of such consummate violence and wrong, and of so barbarous and murderous a character, that it would debase and degrade any nation, and much more so, a nation of freemen, to submit to it.*

"Resolved, That we will support the administration of the general government in all and every measure which may be adopted by them, to avenge the wrongs our country has suffered from Great Britain, and to compel the most rigid retribution; and that to attain a full measure of justice from her, we pledge ourselves to make any sacrifices, and to encounter any hazards.

"Resolved, That by the laws and usages of nations, a national ship is always exempt and free from examination or search, by any foreign vessel or power.

"*Resolved*, That *this premeditated outrage is considered as tantamount to a declaration of war on the part of Great Britain, and as evincive of an irreconcilable hostility to this nation.*

"*Resolved*, That we entertain a confidence, that the government of the United States *will adopt the most decisive and vigorous measures* to obtain reparation for the injuries and wrongs sustained from the government of Great Britain."

Extract from the proceedings of a meeting of citizens of Pittsburgh, held July 10, 1807.

"Resolved, That the late outrageous and hostile conduct of the officers of the British navy, to the flag of the United States on the coast of Virginia, has excited our highest indignation.

"Resolved, That it is the duty of every true American to aid the government of our country in all measures having a tendency to protect its best interests, its honour and independence."

Extract from the proceedings of the Citizens of Norfolk, June 24.

"Resolved unanimously, That we view the unprovoked, piratical, savage, and assassin-like attack upon the Chesapeake with that horror and detestation which should always attend a violation of the faith of nations and the laws of war; and we pledge our lives and our property to co-operate with the government in any measures which they may adopt, whether of vengeance or retaliation."

Extract from an address of a committee appointed in Norfolk, to their fellow Citizens, dated July 11. 1807.

"The last deed of savage ferocity, unparalleled even in the naval annals of Britain, awakened the sentiment of abhorrence in every breast. Every voice was loud in its call for reparation, commensurate to the insult; British insolence and barbarity had reached the *ne plus ultra*. They had the unblushing effrontery to claim the rights of hospitality, while their hands were crimsoned and smoking with the blood of your countrymen; even at the instant they had declared war, in sight of those shores from which, not many years past, their discomfited and recreant myrmidons were driven with disgrace; in sight of those monuments, which fill your breasts with a holy and aspiring admiration for the valour and triumphs of your forefathers. The nation was unexpectedly plunged into war, and yourselves the first exposed to its ruthless blast. The choice of tame submission or resistance was forced on your consideration; with one voice you declared that your ancestors had wrested their rights, their liberties, and independence from the suffocating grasp of British tyranny, by the sword; and that you, their posterity, had resolved with it to defend and to perpetuate the hallowed patrimony."

* To readers at a distance from Philadelphia, it may not be amiss to state, that Mr. Hopkinson is and has always been as decided a federalist as Harrison Gray Otis, Timothy Pickering, or Josiah Quincy.

Extract from the proceedings of the Citizens of New York, July 2, 1807.

"Having received, with the most lively indignation, authentic information, that on the 22d ult. an attack, unwarranted by the known usages of nations, and in violation of our national rights, was made off the capes of Virginia, on the United States' frigate Chesapeake, commodore Barron, by his Britannic majesty's armed ship the Leopard, captain Humphreys: the citizens of New York, assembled in general meeting, deem it to be their duty to express their opinions on this fresh outrage offered to their national sovereignty by the navy of Great Britain.

"*Resolved*, that we consider the dastardly and unprovoked attack made on the United States' armed ship Chesapeake, by his Britannic majesty's ship, the Leopard, to be a violation of our national rights, as atrocious as it is unprecedented."

Last in the long list, let me take the liberty of offering to the world the sentiments of the citizens of Boston, in town meeting, held in the court-house.

Boston, July, 10, 1807.

"Whereas it appears, by a proclamation issued by the president of the United States, that a most wanton and cruel outrage has been committed upon the United States' frigate Chesapeake, by the British ship of war Leopard, in which our citizens have been wounded and murdered, and the flag of our nation insulted and violated. And whereas it is the duty, as well as right, of the citizens of a free country to express their readiness to support the constituted authorities in the measures they may adopt for national redress of an injury so barbarous in its nature, and so unprecedented in its execution: therefore,

"Resolved unanimously, That the late aggression, committed by a British ship of war on a frigate of the United States, for the avowed purpose of taking from her by force a part of her crew, was a wanton outrage upon the persons and lives of our citizens, and a direct attack on our national sovereignty and independence; that the spirited conduct of our fellow citizens at Norfolk on this occasion, before the orders of government could be obtained, was highly honourable to themselves and to the nation.

"Resolved unanimously, That ☞ *the firm, dignified, and temperate policy adopted by our executive at this momentous crisis is entitled to our most cordial approbation and support.*

"Resolved unanimously, That with all our personal influence and exertions we will aid and assist the constituted authorities in carrying the proclamation of the president of the United States, in every particular, into full and effectual execution.

"Resolved unanimously, That though we unite with our government in wishing most ardently for peace on just and honourable terms, yet ☞ we are ready cheerfully to co-operate in any measures, however serious, which they may judge necessary for the safety and honour of our country, and will support them with our lives and fortunes."

Besides the above meeting, there was another held in Boston, at Faneuil Hall, on the 16th July, 1807, at which John Coffin Jones, esq. acted as moderator. John Quincy Adams, *Harrison Gray Otis*, Wm. Eustis, *Christopher Gore*, Charles Jones, *John C. Jones*, *Thomas H. Perkins*, *Jonathan Mason*, and John Warren, esqrs. were appointed a committee to prepare a report, which contained the following resolutions—

Resolved, that we consider the unprovoked attack made on the United States' armed ship Chesapeake, by the British ship of war Leopard, a wanton outrage upon the lives of our fellow-citizens, a direct violation of our national honour, and an infringement of our national rights and sovereignty.

Resolved, that we most sincerely approve the proclamation, and the firm and dispassionate course of policy pursued by the president of the United States, and we will cordially unite with our fellow-citizens in affording effectual support to such measures as our government may further adopt, in the present crisis of our affairs.

To those unacquainted with the solemnity and regularity of the proceedings in Boston town meetings, it may not be improper to state, that there is probably no town in the world whose public meetings are conducted with more propriety and decorum—and that these resolutions may be regarded as full and as fair an expression of the sentiments of the citizens of the town as ever was given.

I have already offered a few reflections on the charge of French influence, so universally alleged against Mr. Jefferson, and so generally believed by the federalists throughout the union. At the period of passing these resolves, he had been in office six years and four months, out of eight years of his presidency. And, behold, the town of Boston, after so long an experience of his conduct in this dignified and arduous office, passes on him the highest encomiums for his "*firm, and dispassionate course of policy,*" at a crisis of the utmost delicacy. What a contrast—what a contradiction between this panegyric and the never-ending abuse, the remorseless virulence, with which he has been assailed from that period to the present, in that town, by men, the major part of whom were probably at the meeting, and concurred in this vote of approbation! Alas! alas! what a poor, miserable, contemptible, senseless animal is man! To how little purpose is he endowed with that proud, distinctive faculty, called reason, of which he makes so little use!

It is due to justice, and to the spirit of impartiality which I have studiously laboured to preserve throughout this work, to state, that previous to the sailing of the Chesapeake, Mr. Hamilton, the British consul at Norfolk, had made repeated official demands of these four seamen, which demands were repelled by the officers on board the Chesapeake, with the concurrence and approbation of the cabinet at Washington. This refusal led to the orders issued by admiral Berkeley, then at Halifax, to Captain Humphreys, to take the men by force.

It is also due to justice, to state, that as these men had entered voluntarily on board the Chesapeake—and as Great Britain steadily refuses to surrender foreigners who enter her vessels voluntarily—the claim made for these four sailors was not justified or warranted by her own practice.

The following account of three of the four men thus seized, is extracted from a letter written by commodore Baron, to the secretary of the navy, and dated April 7th, 1812. It arose

from the requisition of the British Consul at Norfolk, for the delivery of these persons.

"William Ware, pressed from on board the brig Neptune, captain Crafts, by the British frigate Melampus, in the bay of Biscay, and has served on board the said frigate fifteen months.

"William Ware is a native American, born on Pipe creek, Frederick county, state of Maryland, at Bruce's mills, and served his time at said mills. He also lived at Elliott's mills, near Baltimore, and drove a waggon several years between Hagerstown and Baltimore. He also served eighteen months on board the United States' frigate Chesapeake, under the command of commodore Morris and captain James Barron. He is an Indian-looking man.

"Daniel Martin was pressed at the same time and place. He is a native of Westport, in Massachusetts, about thirty miles to the eastward of Newport, Rhode Island; served his time out of New York, with captain Marrowby, in the Caledonia; refers to Mr. Benjamin Davis, merchant, and Mr. Benjamin Cowe, of West-port. He is a coloured man.

"John Strachan, born on the eastern shore of Maryland, Queen Ann's county, between Centerville and Queen's-town; refers to Mr. John Price, and ——— Pratt, Esq. on Kent island, who know his relations. Strachan sailed in the brig Martin Bland, captain Wivill, from New York to Dublin, and from thence to Liverpool. He there left the brig and shipped on board an English Guineaman. He was pressed on board the Melampus off cape Finisterre; to better his situation he consented to enter, being determined to make his escape when opportunity offered. He served on board the frigate two years. He is a white man, about five feet seven inches high.

"William Ware and John Strachan have protections. Daniel Martin says he lost his after leaving the frigate."

While the American mind was festering under the atrocious outrage perpetrated by Capt. Humphreys, the British government issued a proclamation, directing the search for, and seizure of British subjects on board neutral merchant vessels, of which I subjoin the two principal paragraphs.

"For the better execution of the purposes of this our royal proclamation, we do authorize and command all captains, masters, and others commanding our ships and vessels of war, to stop and make stay of all and every such person or persons (being our natural born subjects) as shall endeavour to transport or enter themselves into the service of any foreign state, contrary to the intent and command of this our royal proclamation, and to seize upon, take, and bring away all such persons as aforesaid, who shall be found to be employed or serving in any foreign merchant ship or vessel as aforesaid: but we do strictly enjoin all such of our captains, masters, and others, that they do permit no man to go on board such ships and vessels belonging to states at amity with us, for the purpose of seizing upon, taking, and bringing away, such persons as aforesaid, for whose discreet and orderly demeanor, the said captains cannot answer; and that they do take especial care that no unnecessary violence be done or offered to the vessel, or to the remainder of the crew, from out of which such persons shall be taken.

"And in case of their receiving information of any such person or persons being employed, or serving on board any ship of war belonging to such foreign state, being a state at amity with us, we do authorise and command our captains, masters, and others commanding our ships of war, to require of the captain or commander of such foreign ship of war, that he do forthwith release and discharge such person or persons, being our natural born subject or subjects; and if such release and discharge shall be refused, then to transmit information of such refusal to the commander in chief of the squadron under whose orders such captain or commanders shall be then serving; which information the said commander in chief is hereby strictly directed and enjoined to transmit, with the least possible delay, to our minister residing at the seat of government of that state to which the said foreign ship of war shall belong, to demand reparation for the injury done to us by the unwarrantable detention of our natural born subjects in the service of a foreign state."

CHAPTER XXI.

Blockade of the Coast from the Elbe to Brest. Berlin Decree.

INSTEAD of redressing the grievances of which our merchants so loudly, and so eloquently, and so justly complained, the British government, on the 16th of May, 1806, under the administration of the celebrated Charles James Fox, issued a proclamation, blockading the coast of Germany, Holland, and France, from the Elbe to Brest, extending to about 800 miles. There never was an adequate force stationed to effect a legal blockade of a third part of the coast included within the proclamation.

The French government, exasperated at this offensive and unjustifiable measure, retaliated on Great Britain by the notorious Berlin decree, whereby the whole of the British dominions were declared to be in a state of blockade, although a single French vessel of war hardly dared to shew itself on the seas!!!

Imperial decree declaring the British Isles in a state of Blockade.

Imperial Camp, Berlin, Nov. 21, 1806.

Napoleon, Emperor of the French, and King of Italy, considering:

1. That England does not admit the right of nations, as universally acknowledged by all civilized people;

2. That she declares as an enemy every individual belonging to an enemy state; and in consequence makes prisoners of war, not only of the crews of *armed* vessels, but those also of *merchant* vessels, and even the supercargoes of the same;

3. That she extends or applies to merchant vessels, to articles of commerce, and to the property of individuals, the right of conquest, which can only be applied or extended to what belongs to an enemy state;

4. That she extends to ports not fortified, to harbours and mouths of rivers, the *right of blockade*, which, according to reason and the usage of civilized nations, is applicable only to strong or fortified ports;

5. That she declares places blockaded before which she has not a single vessel of war; although a place ought not to be considered blockaded but when it is so invested as that no approach to it can be made without imminent hazard: that she declares even places blockaded which her united forces would be incapable of doing, such as entire coasts, and a whole empire;

6. That this unequalled abuse of the right of blockade has no other object than to intercept the communication of different nations, and to extend the commerce and industry of England upon the ruin of those of the continent;

7. That this being the evident design of England, whoever deals on the continent in English merchandise favours that design, and becomes an accomplice;

8. That this conduct in England (worthy only of the first ages of barbarism) has benefited her to the detriment of other nations;

9. That it being right to oppose to an enemy the same arms she makes use of; to combat as she does; when all ideas of justice, and every liberal sentiment (the result of civilization among men) are disregarded:

We have resolved to enforce against England the usages which she has consecrated in her maritime code.

The present decree shall be considered as the fundamental law of the empire, until England has acknowledged that the *rights of war* are the same on land as at sea; that it cannot be extended to any private property whatever, nor to persons who are not military, and until the right of blockading be restrained to fortified places actually invested by competent forces.

Article 1. The British islands are in a state of blockade.

2. All commerce and correspondence with them is prohibited. Consequently, all letters or packets written *in* England, or *to* an Englishman, *written in the English language*, shall not be despatched from the post-offices; and shall be seized.

3. Every individual, a subject of Great Britain, of whatever rank or condition, who is found in countries occupied by our troops or those of our allies, shall be made prisoner of war.

4. Every ware-house, all merchandise or property whatever, belonging to an Englishman, are declared good prize.

5. One half of the proceeds of merchandise declared to be good prize, and forfeited as in the preceding articles, shall go to indemnify merchants who have suffered losses by the English cruisers.

6. No vessel coming directly from England or her colonies, or having been there since the publication of this decree, shall be admitted into any port.

7. Every vessel that, by a false declaration, contravenes the foregoing disposition, shall be seized, and the ship and cargo confiscated as English property.

8. [This article states, that the councils of prizes at Paris and at Milan shall have recognizance of what may arise in the empire and in Italy under the present article.]

9. Communications of this decree shall be made to the kings of Spain, Naples, Holland, Etruria, and to our other allies, whose subjects, as well as ours, are victims of the injuries and barbarity of the English maritime code.

10. Our ministers of foreign relations, &c. are charged with the execution of the present decree.

NAPOLEON.

Extravagant as this decree appears, it is capable of some defence; a defence not void of plausibility. It was promulgated to retaliate the blockade of a great extent of coast, of which, as I have stated, two-thirds were not invested by any force whatever. And it cannot be denied that if the blockade of a single port three miles in extent, much more a long line of coast, without a force to support it, be legal, the blockade of the British dominions, or even of a whole continent, without a force, is likewise legal. And I am persuaded that Capt. Boyle's celebrated blockade of the British dominions, was quite as legal and defensible, as the late blockade of such ports of the United States as had no naval force stationed before them.

So far as respected American vessels, the Berlin decree was not enforced for twelve months. This is a most important fact, and is not asserted lightly. It stands on respectable authority, to which no objection will lie. This authority is Alexander Baring, Esq. member of the British house of commons.

"*No condemnation of an American vessel had ever taken place under it*; and so little did the French privateers interfere with the trade of America with this country, that *the insurance on it has been very little higher than in time of profound peace*; while that on the American trade with the continent of Europe has at the same time been doubled and even trebled by the conduct of our cruisers."*

Besides the above authority, I annex an official proof of my position:—

Paris, Nov. 12, 1807.

SIR—It was not till yesterday that I received from Mr. Skipwith a copy of the decree of the council of prizes, in the case of the Horizon. This is *the first unfriendly decision of that body under the decree of the 21st of Nov.* 1806. In this case, and on the petition of the defendant, the court has recommended the restoration of the *whole* cargo. I did not however think proper to join in asking as a favour, what I believed myself entitled to as a right. I subjoin a copy of my note to the minister of foreign affairs. And am, sir, &c.

Mr. Madison, &c. JOHN ARMSTRONG.

* "Enquiry into the causes and consequences of the orders in council; and an examination of the conduct of Great Britain towards the neutral commerce of America. By Alexander Baring, esq. M. P." London, published February, 1808. Republished in Philadelphia, by Bradford and Inskeep.

CHAPTER XXII.

Orders in Council of November 11th, 1807. Milan Decree.

As a retaliation for the preceding Berlin decree, were issued the orders of Nov. 11, 1807, whereby all neutral vessels, bound to France, or her dependencies, or to any port from which British vessels were excluded—and further, all vessels furnished with French consular certificates of the origin of the cargoes, were declared liable to seizure and condemnation. This measure, so destructive to the rights and interests of the United States, was predicated upon our acquiescence in the Berlin decree of November, 1806, twelve months anterior, although that decree, as I have stated, had not been enforced against our commerce, and of course we had had no right to remonstrate against it. There did not, therefore exist that acquiescence which could have warranted this high-handed outrage.

To enable the reader to judge correctly on the subject of these celebrated orders, I annex a copy of them at full length.

At the Court of the Queen's Palace, the 11th of November, 1807, present, the King's most excellent Majesty in Council.

Whereas certain orders, establishing an unprecedented system of warfare against this kingdom, and aimed especially at the destruction of its commerce and resources, were some time since issued by the government of France, by which "the British islands were declared to be in a state of blockade;" thereby subjecting to capture and condemnation all vessels with their cargoes, which should continue to trade with his majesty's dominions:

And whereas by the same orders, "all trading in English merchandize is prohibited: and every article of merchandize belonging to England, or coming from her colonies, or of her manufacture, is declared lawful prize."

And whereas the nations in alliance with France, and under her controul, were required to give, and have given, and do give, effect to such orders:

And whereas his majesty's order of the 7th of January last, has not answered the desired purpose, either of compelling the enemy to recall those orders, or of inducing neutral nations to interpose, with effect to obtain their revocation; but, on the contrary, the same have been recently enforced with increased rigour;

And whereas his majesty, under these circumstances, finds himself compelled to take further measures for asserting and vindicating his just rights, and for supporting that maritime power which the exertions and valour of his people have, under the blessing of providence, enabled him to establish and maintain; and the maintenance of which is not more essential to the safety and prosperity of his majesty's dominions, than it is to the protection of such states as still retain their independence, and to the general intercourse and happiness of mankind.

His majesty is therefore pleased, by and with the advice of his privy council, to order, and it is hereby ordered, that *all the ports and places of France and her allies, or of any other country at war with his majesty, and all other ports or places in Europe, from which, although not at war with his majesty, the British*

flag to excluded, and all ports or places in the colonies belonging to his majesty's enemies, shall from henceforth, be subject to the same restrictions in point of trade and navigation, with the exceptions hereinafter mentioned, as if the same were actually blockaded by his majesty's naval forces, in the most strict and rigorous manner. And it is hereby farther ordered and declared, that all trade in articles which are of the produce or manufacture of the said countries or colonies, shall be deemed and considered to be unlawful; and that *every vessel trading from or to the said countries or colonies, together with goods and merchandise on board, and all articles of the produce or manufacture of the said countries or colonies, shall be captured and condemned as prize to the captors.*

But although his majesty would be fully justified, by the circumstances and considerations above recited, in establishing such a system of restrictions with respect to all the countries and colonies of his enemies, without exception or qualification; yet his majesty, being nevertheless desirous not to subject neutrals to any greater inconvenience than is absolutely inseparable from the carrying into effect his majesty's just determination to counteract the designs of his enemies, and to retort upon themselves, the consequences of their own violence and injustice; and being yet willing to hope that it may be possible (consistently with that object) still to allow to neutrals the opportunity of furnishing themselves with colonial produce for their own consumption and supply; *and even to leave open, for the present* SUCH TRADE WITH HIS MAJESTY'S ENEMIES AS SHALL BE CARRIED ON DIRECTLY WITH THE PORTS OF HIS MAJESTY'S DOMINIONS, OR OF HIS ALLIES, in the manner hereinafter mentioned.

His majesty is therefore pleased further to order, and it is hereby ordered, that nothing herein contained shall extend to subject to capture or condemnation any vessel, or the cargo of any vessel, belonging to any country not declared by this order to be subjected to the restrictions incident to a state of blockade, which shall have cleared out with such cargo from some port or place of the country to which she belongs, either in Europe or America, or from some free port in his majesty's colonies, under circumstances in which such trade from such free port is permitted, direct *to some port or place in the colonies of his majesty's enemies, or from those colonies direct to the country to which such vessel belongs*, or to some free port in his majesty's colonies, in such cases, and with such articles, as it may be lawful to import into such free port; *nor to any vessel, or cargo of any vessel, belonging to any country not at war with his majesty which shall have cleared out from some port or place in this kingdom, or from Gibraltar or Malta, under such regulations as his majesty may think fit to prescribe*, or from any port belonging to his majesty's allies, and shall be proceeding direct to the port specified in her clearance; nor to any vessel, or the cargo of any vessel, belonging to any country not at war with his majesty, which shall be coming from any port or place in Europe, which is declared by this order to be subject to the restrictions incident to a state of blockade, DESTINED TO SOME PORT OR PLACE IN EUROPE BELONGING TO HIS MAJESTY, and which shall be on her voyage direct thereto; but these exceptions are not to be understood as excepting from capture or confiscation any vessel or goods which shall be liable thereto in respect of having entered or departed from any port or place actually blockaded by his majesty's squadrons or ships of war, or for being enemies' property, or for any other cause than the contravention of this present order.

And the commanders of his majesty's ships of war and privateers, and other vessels acting under his majesty's commission, shall be, and are hereby instructed, to warn every vessel which shall have commenced her voyage prior to any notice of this order, and shall be destined to any port of France, or of her allies, or of any other country at war with his majesty, or to any port or place from which the British flag, as aforesaid, is excluded, or to any colony belonging to his majesty's enemies, and which shall not have cleared out as is herein before allowed, to discontinue her voyage, and to proceed to some port or place in this kingdom, or to Gibraltar or Malta. And any vessel which,

after having been so warned, or after a reasonable time shall have been afforded for the arrival of information of this his majesty's order to any port or place from which she sailed, or which, after having notice of this order, shall be found in the prosecution of any voyage contrary to the restrictions contained in this order, shall be captured, and, together with her cargo, condemned as lawful prize to the captors.

And whereas countries not engaged in the war have acquiesced in the orders of France, prohibiting all trade in any articles the produce or manufacture of his majesty's dominions; and the merchants of those countries have given countenance and effect to those prohibitions, by accepting from persons styling themselves commercial agents of the enemy, resident at neutral ports, certain documents termed "*certificates of origin*," being certificates obtained at the ports of shipment, *declaring that the articles of the cargo are not of the produce or manufacture of his majesty's dominions, or to that effect.*

And whereas this expedient has been directed by France, and submitted to by such merchants, as part of the new system of warfare directed against the trade of this kingdom, and as the most effectual instrument of accomplishing the same; and it is therefore essentially necessary to resist it.

His majesty is therefore pleased, by and with the advice of his privy council, to order, and it is hereby ordered, that if any vessel, after reasonable time shall have been afforded for receiving notice of this his majesty's order, at the port or place from which such vessel shall have cleared out, *shall be found carrying any such certificate or document as aforesaid, or any document referring to or authenticating the same*, such vessel shall be adjudged lawful prize to the captors, together with the goods laden therein, belonging to the person or persons by whom, or on whose behalf, any such document was put on board.

And the right honourable the lords commissioners of his majesty's treasury, his majesty's principal secretaries of state, the lords commissioners of the admiralty, and the judges of the high court of admiralty, and courts of vice admiralty, are to take the necessary measures herein, as to them shall respectively appertain.

W. FAWKENER.

The preceding orders were assigned by Napoleon as a reason for, and justification of, the Milan decree, of which I submit a copy; although it somewhat deranges the plan of this part of my work. But I prefer grouping these three documents together, for the ease and convenience of the reader.

IMPERIAL DECREE.

Rejoinder to his Britannic majesty's Order in Council, of the 11th November, 1807. At our Royal Palace at Milan, December 17, 1807.

Napoleon, emperor of the French, king of Italy, and protector of the Rhenish confederation.

Observing the measures adopted by the British government, on the 11th November last, by which vessels belonging to neutral, friendly, or even powers the allies of England, are made liable, not only to be searched by English cruizers, but to be compulsorily detained in England, and to have a tax laid on them of so much per cent. on the cargo, to be regulated by the British legislature.

Observing that by these acts, the British government *denationalizes* ships of every nation in Europe; that it is not competent for any government to detract from its own independence and rights; all the sovereigns of Europe having in trust the sovereignties and independence of the flag; that if by an unpardonable weakness, and which in the eyes of posterity would be an indelible stain,

If such a tyranny was allowed to be established into principles, and consecrated by usage, the English would avail themselves of it to assert it as a right, as they have availed themselves of the tolerance of governments to establish the infamous principle, that the flag of a nation does not cover goods, and to give to their right of blockade an arbitrary extension, which infringes on the sovereignty of every state; we have decreed and do decree as follows.

I. Every ship, to whatever nation it may belong, that shall have submitted to be searched by an English ship, or to a voyage to England, or shall have paid any tax whatsoever to the English government, is thereby, and for that alone, declared to be *denationalized*; to have forfeited the protection of its king; and to have become English property.

II. Whether the ships thus *denationalized* by the arbitrary measures of the English government, enter into our ports, or those of our allies, or whether they fall into the hands of our ships of war, or of our privateers, they are declared to be good and lawful prize.

III. The British islands are declared to be in a state of blockade, both by land and sea. Every ship of whatever nation, or whatsoever the nature of its cargo may be, that sails from the ports of England, or those of the English colonies, and of the countries occupied by English troops, and proceeding to England, or to the English colonies, or to countries occupied by English troops, is good and lawful prize, as contrary to the present decree; and may be captured by our ships of war, or our privateers, and adjudged to the captor.

IV. These measures, which are resorted to only in just retaliation of the barbarous system adopted by England, which assimilates its legislation to that of Algiers, shall cease to have any effect with respect to all nations who shall have the firmness to compel the English government to respect their flag. They shall continue to be rigorously in force as long as that government does not return to the principle of the law of nations which regulates the relations of civilized states in a state of war. The provisions of the present decree shall be abrogated and null in fact, as soon as the English abide again by the principles of the law of nations, which are also the principles of justice and honour.

All our ministers are charged with the execution of the present decree, which shall be inserted in the bulletin of the laws.

NAPOLEON.

On the 25th of November, 1807, an additional order in council was issued, and on the 25th of March, 1808, an act of parliament passed, the object of both of which was to permit a trade between neutral nations (the only neutral nations then were the United States and Sweden) and France and her dependencies, *on the condition that the vessels engaged in it should enter some British port,* PAY A TRANSIT DUTY, *and take out a licence! And the British government affected to regard this arrangement as a favour conferred on neutrals!!!!* This was fairly capping the climax.

It may not be unsatisfactory to the reader, to state the duties thus laid on the exports of the United States by a foreign nation. Well might Mr. Baring declare—

"It is immaterial, whether it be a tax on stamps, or on cotton. This question has been the subject of a long and bloody war."

Goods allowed to be bonded.

Barilla	10s per cwt. or		$ 2 23
Bark (Peruvian)	6s —		1 35
Cochineal	7s —		1 57
Cocoa nuts	11 —		4 44

Coffee	1 8s —	6 99
Ginger	7s —	1 57
Gum Arab, and Senegal	10s —	2 22
Hemp	15s —	3 33
Hides (raw)	3s per hide	67
Jalap	6d per lb.	11
Indigo	2s —	45
Iron (in bars)	£3 — per cwt.	13 33
Pimento	8d per lb.	4
Pitch	4s 4d per 31 1-2 gal.	96
Quicksilver	1s per lb.	22
Rhubarb	2s —	45
Rice	2s per cwt.	45
Rum and Spirits single	8d per gal.	15
Do. over-proof	1s 4d —	30
Sugar (brown or Muscavado)	10s per cwt.	2 22
Do. (white or clayed)	14s per cwt.	3 11
Tallow	7s	1 57
Tar	4s 4d per 31 1-2 gal.	96
Tobacco	1d 1-2 per lb.	3
Turpentine (common)	3s 6d per cwt.	78
Wine	£6 per 252 gals.	26 64
Wood (mahogany)	1 per ton	4 44
Cotton	9d per lb.	17
Timber	£1 7s per 50 c. feet	5 98
Masts, &c. 6 inches under 8	5s per piece	1 11
—— 8——12	10s —	2 22
—— 12 and upwards	£1 7s —	5 98

Goods not allowed to be bonded, and upon which the home-consumption duties must be paid on importation:

Anchors 40 per cent. on the value,		
Annatto	£2 8s 4d per cwt.	8 10 65
Argol	5s —	1 11
Ashes	10s —	2 22
Oak bark	2s 6d	55
Bread	4s —	90
Butter	£1 —	4 44
Cabl and Cordage	18s —	4 00
Wheat	10s per qr.	2 22
Wheat meal and Flour	5s per cwt.	1 11
Stock-fish	2s 6d per 120	56
Other Fish	4s per cwt.	90
Seed Oil	£10 10s per 252 gals.	46 62
Pork	17s 6d per cwt.	3 92
Flax-seed	1s 6d per 56 lb.	33

Prize goods prohibited. Goods not enumerated, but which may be used in this country—on the *present duties* 40 per cent.

A letter from *Rathbone, Hughes and Duncan*, of Liverpool, dated in the beginning of April, 1806, has this paragraph:

"These *duties* to attach to the cargoes of *all vessels bound from the United States to those ports on the continent, which are under the influence of France, and arrive in this country, in compliance with the orders in council of the 11th November.*"

A Synopsis of part of the Effects of these Duties.

A cargo of cotton, of 1000 bales, of 300 lbs. each, which is about the common weight, paying 9d sterling, per lb. in England, would amount to the precise sum of 50,000 dollars. The same cargo of cotton at 14 1-2 cents, the average price for fine Louisiana cotton, would not cost at New-Orleans more than 43,500 dollars. Thus the exporter would have to pay 6,500 dollars in London, as a

duty for liberty to proceed to the continent, more than the original cost—to this might be added the various other charges of tonnage, &c. amounting to about 2000 dollars more.

A cargo of tobacco may be said to consist of 400 hogsheads—for the sake of round numbers, we will suppose each hogshead only to weigh 1000 lbs. and the account stands thus—400,000 lbs. Tobacco, at 1d 1-2 sterling per

pound, is £2,500 sterling, or	$ 11,100 00
Tonnage, at 12s per ton on 400 tons, is £240 sterling, or	1,065 00
Light money and various other charges and attendant expenses, would amount to	800 00
Amount of tribute on a cargo	12,965 00

Of the 80,000 hogsheads we generally exported, about 12,000 were consumed in the British islands. The rest went to the continent. Put them, as before, at 1000 lb. each, and what is the amount of tribute on this single article?

68,000 hogsheads tobacco, weighing each 1000 lbs. is 68,000,000 lbs. at 1d 1-2d sterling per pound, is £425,000, or	$ 1,998,000 00
170 ships' tonnage, &c. at 2000 dollars each	340,000 00
Amount of annual tribute on tobacco	2,338,000 00

A ship would carry about from 3000 to 3500 barrels of flour; say for the sake of calculation, 6000 cwt.

6,000 cwt. at 5s sterling per cwt. amounts to £1500, or	$ 6,660 00
Tonnage and charges, as above	1,865 60
Amount of tribute on one cargo of flour	8,525 60

A ship load of fish would cost about 3500 or 4000 dollars, including the duties and charges.*

CHAPTER XXIII.

The orders in council of November 11, 1807, defended by Americans. Founded on the untenable plea of American acquiescence in the Berlin Decree. Enquiry into their causes and consequences by A. Baring, Esq. M. P.

PERNICIOUS as were the orders in council to the most vital interests of the United States—degrading as was the condition of paying a transit duty in English ports—and unjust and unfounded as was the allegation on which these orders were predicated, there were defenders of them in this country—Americans born. Among the number were men in high and elevated stations, possessing a great degree of public confidence and political influence. It is a most singular fact, that the cause of England has been far more ably supported in our debates, and in our political speculations and essays, than in London itself. There is no man of character or standing in society in that city, or in the British parliament, that has attempted to deny the magnitude of our wrongs. The ministry and their friends have palliated their proceedings by the miserable plea of necessity—and of retaliation—a plea that Barbarossa, or Koulikan, or Bonaparte, could

* For all these statements and calculations I am indebted to Niles's Weekly Register, vol. 3, page 79.

with equal justice advance. But such respectable men as the Roscoes, the Whitbreads, the Barings, have bestowed on the outrageous measures of their government, the most unqualified reprobation. I have it not in my power at present to refer to the debates in parliament. But I perfectly well recollect, and such of my readers as have access to them will see at once, that the rectitude of the conduct of our government, and its mild endeavours to procure redress, have received the most unequivocal encomiums from some of the most illustrious characters in Great Britain.

The respectability of Mr. Alexander Baring is a matter of public notoriety throughout the commercial world. There is no man in England more attached to the honour and the interests of his country. His testimony has been, as I have said, uniformly borne in our favour, and against the enormous injustice of the orders in council—and as it cannot fail to have a weight proportioned to his talents, integrity, and character, I shall very freely quote from such an unexceptionable source.

The orders in council of Nov. 11, 1807, were, as we have seen, predicated upon our acquiescence in the Berlin decree. Mr. Baring having stated the fact,* that this decree not having been put into operation against our commerce, we had had no right to remonstrate against it, proceeds,

"Unless, therefore, his majesty's ministers have some information of which the public is not possessed, and which contradicts the very clear evidence the public do possess, we must conclude that the assertion in the orders in council that America had been guilty of that acquiescence in the decrees of France, which was to draw down, and has drawn down upon her, our menaced retaliation, ☞ *is totally void of foundation.*"†

The fallacy of the allegation of an acquiescence in the Berlin decree having been proved, Mr. Baring thus accounts for the Milan decree, which was the offspring of the orders in council of November 11, 1807.

"If what has been stated, be correct, that our orders in council are not justified, by any previous provocation, ☞ *They must be evidently acts of original aggression;* and France retaliated much in the same manner and with the same right as we ourselves should have done, had the Berlin decree been rigidly executed."‡

The following masterly analysis of the orders in council is taken from Mr. Baring's pamphlet.

"*All trade directly from America to every port and country at war with Great Britain, or from which the British flag is excluded, is totally prohibited. In this general prohibition, every part of Europe, with the exception at present of Sweden, is included; and no distinction whatever made between the domestic produce of America, and that of the colonies, re-exported from thence ! ! !*

"The trade from America to the colonies of all nations, remains unaltered by the present order. *America may export the produce of her own country, but that of no other, to Sweden.*

"With the above exception, all articles, whether of domestic or colonial produce exported by America to Europe, *must be landed in this country* [England] from whence it is intended to permit their exportation, under such regulations as shall be hereafter determined.

* See page 110. † Baring's Enquiry, page 70. ‡ Ibid.

"By these regulations it is understood that *duties are to be imposed on all articles so re-exported.* But it is intimated that an exception will be made in favour of such as are the produce of the United States, cotton excepted.

"Any vessel, the cargo whereof shall be accompanied with certificates of French consuls abroad, of its origin, shall, together with its cargo, be liable to seizure and condemnation."*

It is here proper to make a solemn pause. The subject deserves the deepest, the most serious reflection. Let us examine this sketch, drawn by a masterly hand, beyond the reach of suspicion. Let us consider the despotic, the lawless claims it asserts—the prostrate, the base, the despicable state it places the commerce and the rights of a sovereign, an independent, and unoffending nation—a nation whose trade was of incalculable importance to the power thus daring to legislate for us, and destroy our dearest rights of sovereignty. When this is all fairly and duly weighed, let us correctly appreciate the conduct of so many Americans, who have asserted with a zeal worthy of a good cause, that England "has really done our commerce no essential injury!"† The annals of the world can produce nothing more indefensible—nothing more astonishing.

The end proposed by the British government in this stupendous project of usurpation, is thus ably sketched.

"☞ *The Americans are to bring to this country all the produce of their own, and all that of our enemies' colonies, which they export to Europe.* We are here to form a grand emporium of the costly produce of Asia and America, which is to be dispensed to the different countries of Europe, under such regulations as we may think proper, I suppose, according to their good behaviour. ☞ *Taxes are to be raised from the consumers on the continent;* and they are to be contrived with such judicious skill as to secure our own West India planters a preference to those of Cuba and Martinique."‡

"The American merchant, with the best intentions of trading legally, cannot always know what this country permits; for we admit that upholding a general principle which we never enforce, we may and do vary our permission to neutrals under it as we please. Supposing him in this respect not liable to error, he is exposed to unjust decisions in our vice admiralty courts—a danger of no common magnitude, if we are to believe the assertion of lord Hawkesbury in the house of commons, the 29th of April, 1801, that *of 313 appeals from these courts, only 35 of the condemnations were confirmed.*"¶

What a hideous picture of the rapacity and piratical proceedings of the British privateers is here exhibited! It is not unfair to suppose, that of the number of vessels captured and brought in for adjudication, one-fourth were cleared in the West-Indies. Admitting this calculation, the whole number of captures embraced in the statement of Lord Hawkesbury, was probably 420, of which about 100 were cleared in the West Indies—285 unjustly condemned there, and afterwards cleared in Great Britain—and only 35 really and bona fide lawful prize—so that it appears, that of every twelve vessels brought in for trial, eleven were unjustly captured!

"If we had maintained and defended this doctrine boldly and fairly against all nations, good arguments in favour of it could not be wanting. But when we have uni-

* Idem, page 12. † Mr. Pickering's letter to governor Sullivan, page 12.
‡ Baring's Enquiry, page 16. ¶ Idem, page 43.

formly yielded it, and indeed forborne to claim it, ☞ *can it be consistent either with magnanimity or good policy, to bring it forward now,* ***BECAUSE THE ONLY REMAINING NEUTRAL HAS A DEFENCELESS COMMERCE?*** ☞ *If such cowardly injustice is to be one of our resources in these trying times, when elevation of sentiment and of national character are more than ever wanted, the means and strength of this powerful empire are indeed strangely misunderstood.*"*

"This decision [in the case of the Essex, Orme,] although the distinction was not made to catch the common eye, was well known to *embrace the whole foreign trade of America,* excepting that in her own produce. It circulated rapidly among our cruizers and privateers; and ☞ *in the course of a fortnight the seas were cleared of every American ship they could find,* which now crowded our ports for trial; and our West India merchants were gratified by neutral insurance and freights being at least doubled by this ingenious discovery."†

"This decision laid the foundation of all the complaints of America of our vexatious measures against her trade, as it introduced a totally new line of conduct towards it; and *that change produced the non-importation act at which we affect so much indignation.*"‡

"Nor was the injury to the Americans confined to the application of these new and vexatious principles; for our privateers, apprehending little danger of being made answerable for their error, were not disposed to make nice distinctions; but ☞ *detained and sent in every vessel they met with, under the most frivolous pretences; in which they were also encouraged by the expectation of actual war.* Of the extent to which this was carried, some idea may be formed, when it is stated, that cargoes, wholly of American produce, and of the produce of neutral countries trading with America, were captured, and even brought to trial."§

"☞ *The owners of privateers are in the daily practice of bringing in valuable cargoes, and offering immediately to release them for one or two hundred guineas.* They sometimes require a much larger sum. *The London merchant is either obliged to acquiesce in* THIS INIQUITOUS ROBBERY, or let his correspondent suffer the more expensive vexations which it is unfortunately in the power of these people to inflict."‖

"The measures resorted to by America, under these circumstances of provocation, were certainly of ☞ *the mildest species of hostility, and such as evidently shewed a desire of peace.* A law was passed prohibiting the importation of certain articles of British manufacture; by which a demonstration of commercial warfare was certainly intended. But it is such as every independent nation, even in time of peace, has a right to resort to without giving offence: and if the commerce of America were to be materially interrupted, a reduction of her importation of European articles became indispensable. This law, after different suspensions, is not yet repealed. Of its wisdom, as a commercial measure, there may be doubts; but ☞ *as an annoyance of our trade, for the purpose of enforcing a respect for theirs, we have no right to complain of it.*"¶

"If we had treated the commerce of America with sincerity, instead of molesting it, as we have seen, ☞ BY A REPETITION OF THE MOST DISGRACEFUL CHICANE, that commerce would have suffered less, and our own ends would have been answered. Such an appeal to the good sense of that country, would certainly have been less likely to produce war than the sophistry with which they have been treated, and of which every man in it must detest the folly."**

"*For so extensive an injury to a country* ☞ WHOSE RIGHT OF INDEPENDENT SOVEREIGNTY WAS VIOLATED, AND WHOSE COMMERCE WAS DESTROYED BY THIS PROCEEDING, it would have been in vain to search for authorities or precedents any where."††

We have seen that French consular certificates of the origin of the cargo of a vessel, by the orders in council sub-

* Baring's Enquiry, page 47. † Idem, page 50. ‡ Idem, page 51.
§ Idem, pages 57 & 58. ‖ Idem, page 58.
¶ Idem, page 59. ** Idem, page 63. †† Idem, page 64.

jected both vessel and cargo to condemnation. On the iniquity of this feature of the orders, Mr. Baring remarks:—

"We in many cases require foreign articles, imported into this country to be accompanied by certificates from our consuls abroad. Nothing can, therefore, be more frivolous than the assertion of our right to complain of the acquiescence of American merchants in the regulations of France respecting certificates of origin."*

I hope the reader will attend to the consequences of this feature of the orders in council. Let it never be forgotten. It is worthy of being borne in eternal remembrance. If they had no other odious feature, this would be sufficient to disgrace them, and their authors and abettors. Suppose Mr. George Cabot, Mr. James Lloyd, jun. Timothy Pickering, Commodore Dale, or any other citizen of the United States, to send a vessel to sea, owned by himself, manned with American sailors, and loaded with American productions—bound for the solitary corner of Europe, Sweden, which was not interdicted by the orders in council—suppose her provided with a French consular certificate of the origin of the cargo: and finally, to close our suppositions, suppose her carried into London by a British privateer—and brought before Sir William Scott for adjudication.—She would most assuredly be condemned for an INFRINGEMENT OF THE LAW OF NATIONS, *in being provided with a French consular certificate!!!* What an awful mockery of justice in those who prescribed—what a shameful prostration and baseness of mind in those who preached submission to—such a lawless regulation, calculated to "*prey upon the unprotected property of a friendly power.*"†

"The comprehensive nature of the injury which America must suffer from our system, by leaving no class of its population unaffected by it, affords little hope of the interference of any for the preservation of peace. The great interest which a country still possessing the means of independence, should feel in the preservation of ours, ☞ *will be lost in the more immediate and perceptible consequences of our folly and injustice*"‡

"The new orders were of a description to produce a revolution in the whole commerce of the world—and a total derangement of those mutual rights and relations by which civilized nations have hitherto been connected."§

"It must be evident from the whole tenor of our proceedings, that commercial interest has been our moving principle throughout; that ☞ *every demonstration of the slightest hostility on the other side, has originated in our attempts to advance that interest in violating the rights and interests of others*; and that: ☞ *if we are at last called upon to take up arms, it is on our part a quarrel about sugar and coffee, and not in support of national honour.*"||

"☞ *The consequences of such a state of things must produce ruin to every class and description of persons in America*: and they are so obvious, so inevitable, that one cannot avoid thinking, that they must have occurred to the framers of this new system."**

"To make this limitation of neutral trade a part of the law of nations, it

* Idem, page 66. † See Boston Memorial, page 73, 8vo. *edit.*
‡ Enquiry, page 78. § Idem, page 10.
|| Idem, page 79. ** Idem, page 18.

is not a talent that it should be asserted by one power.—It must likewise be admitted by others; which is so far from having been the case, that in all our discussions about neutral rights, we have not only never obtained from any nation a recognition of this rule, but ☞ *it does not even appear to have been at any time seriously insisted upon.*"*

"What can then be the object of holding up this rule [of 1756] as the palladium of our maritime rights, or why has lain so long dormant? Instead of America being accused of a disposition to encroachment hostile to our dignity, in refusing to admit into the law of nations, a principle which *has neither been admitted by or enforced towards others*, are we not rather ourselves wanting to our own dignity in proclaiming a law which we have never ventured to defend—in setting up a right, which, by our own treaties with foreign nations, we have ourselves encouraged them to trample on?"†

"It would have been highly interesting to know how many instances [of fraudulent ownership] had been discovered; as by pointing them out to our government, redress might have been obtained by application to that of America, whose strict attention to the character of her flag has always been remarkable."‡

"I must say, and I speak from considerable experience, that the character of the great body of merchants in America, little deserves the unjust insinuations in which writers on this subject have indulged."§

"During a considerable part of the last and present war, we have indeed respected the rights of those not concerned in it. ☞ *But the conduct even of France can furnish few stronger proofs of a disregard of them, and of more frivolous pretences by which they have been invaded, than may be found in our conduct in* 1805, and still more in the recent measures which we have been considering."¶

"If our commercial treaties with Portugal are to be held up, as they have been, to the admiration of statesmen, we cannot fail to admire the liberal policy of America towards the produce of our industry, when we consider the large balance which she annually pays us, and our illiberal jealousy of her intercourse with other countries, from which alone that balance can be paid."**

"If my former observations produce, as I think they must, a conviction that the trade and property so sported with, belong to an honest neutral, there can be no doubt that OUR CONDUCT TOWARDS IT DESERVES THE NAME OF THE MOST UNQUALIFIED INJUSTICE."††

The reader who compares the style and substance of the memorials, with Mr. Baring's essay, will find that coincidence, that cogency, that irresistible conviction which result from truth and honourable principles. The American merchants, eloquently and convincingly pleading for the rights of their country, and their own personal interests, unjustly assailed—speak nearly the same language, and make use of the same arguments, as Mr. Baring, when he sought to save his country from the disgrace and dishonour of employing her transcendent naval power to overwhelm and prey upon the commerce of an unoffending neutral, merely because that neutral was not in a state to defend herself.

I trust that no apology can be necessary for these copious extracts on this all-important topic. The high standing and character of the writer, as I have already observed, and take the liberty to repeat, entitle his sentiments to peculiar

* Idem, page 22. † Idem, page 23. ‡ Idem, page 32.
§ Idem, page 36. ¶ Idem, page 71 ** Idem, page 88.
†† Idem, page 57.

attention. Moreover, as an English merchant, interest, were he swayed by such a consideration, would have led him to advocate the orders. But he had too high a regard for the honour of his country, to wish it to be sacrificed to paltry, and sordid considerations of interest.

After the reader has with the deep attention the subject deserves, perused the above eloquent defence of American rights—exposure of our wrongs—and appeal to the honour and justice of Great Britain, written by a high-spirited and noble-minded Englishman, let him ponder for a moment on the conduct of those Americans who have devoted their talents, their industry, and their influence to defend the outrageous proceedings of Great Britain, and to place their own country in the wrong!

What a humiliating contrast!—Mr. Baring pleading the cause of the injured United States in London—and Mr. Pickering and hundreds of other Americans pleading in Boston, New-York, Philadelphia and elsewhere against their own country, and in defence of British inroads and British violence!

The contemplation fills the mind with astonishment! Notwithstanding the evidence is so fully before us, as to be irresistible, it is difficult to believe that such an awful delusion could have ever existed, and to such an extravagant extent.

I aver, as my calm and reflected opinion upon this point, that it would be difficult, perhaps impossible, to find in history any parallel case. Enlightened American merchants were so far blinded by party and faction, as to use their utmost endeavours to prevent the government of their country from procuring redress of intolerable grievances which bore so heavily on themselves!

CHAPTER XXIV.

Embargo. Situation of American Commerce. Factious clamour. Embargo a wise, prudent, and necessary measure.

I now proceed to consider the subject of the embargo, which was one of the most potent instruments employed to exasperate and inflame the passions of the people of the eastern states, and which actually prepared a portion of them for open resistance to the government.

The justice and propriety of every measure depend on the circumstances that accompany and induce it—the motives that lead to its adoption—and the consequences it is calculated to produce. Let us apply these tests to the embargo.

The reader has had the decrees and orders in council laid before him *in extenso*. He has seen the exposition of the in-

justice of the latter by Mr. Baring. And he has had an opportunity himself of calculating the effects of both decrees and orders.

From a calm consideration of these documents, and of their inevitable operation on our trade, it is perfectly obvious, that had our vessels sailed in December, 1807, and January, February, March, April, and May, 1808, as freely as they had formerly done, they would have universally fallen sacrifices; those bound to France and her dependencies, to British—and those bound for the British dominions, to French cruisers.

This would have produced an almost universal bankruptcy among our insurance offices and merchants. The plunder of our ships and cargoes, and the captivity of our seamen, would have augmented the resources of the belligerents, and enfeebled ourselves. The only real question was, whether our vessels should remain at our wharves, the property of our merchants, or be carried to France and England, the prey of privateers. But for the embargo, there would have been such a calamitous scene produced as has rarely occurred in any nation. We should have suffered all the worst consequences of war, without any of its compensatory advantages. Our merchants would have once more made "the welkin ring" with their complaints of injury—their eloquent appeals to the law of nations—their clamours for redress—their reproaches of the government for its supineness—and their solemn* pledges of support. We should have again had to negociate in vain for reparation. And we should have been ultimately goaded into a war, after having been defeated in our endeavours to escape it, and deprived of the most efficient means for its prosecution.

It has been said that the Berlin decree not having been carried into operation against American vessels; and our government not having received an authentic copy of the orders in council; therefore it was not justified in the recommendation of the embargo. And thus that degree of vigilance and care of the interests of his country and of the property of the merchants, which entitled Mr. Jefferson to a monument from the mercantile interest, has been made the ground-work of the most serious accusation!

There is no measure of the general government from its first organization to the present hour, more strongly marked with wisdom, with foresight, and with attention to duty, than this recommendation. There is, nevertheless, no measure that has generated more factious or senseless clamour—

* I had written "hollow and deceptions." But I struck the words out—how properly the reader will decide. I am doubtful myself of the correctness of the alteration.

more envenomed prejudice—more unblushing misrepresentation.

The atrocious case of the Horizon, which was the first instance wherein the Berlin decree was carried into effect against American vessels, had previously occurred. Of this case Mr. Armstrong had transmitted an account in a letter dated Nov. 12, 1807, of which I have submitted a copy to the reader.* This letter and the documents accompanying it, established, beyond a possibility of doubt, the extreme danger of our commerce from French depredation, French cruisers, and French courts.

Of the determination of the British government to meet the Berlin decree with measures of equal violence, undoubted information had been received by our administration in private letters, and even in the public papers. The recommendation of the embargo took place on the 18th of December, 1807: and ☞ *on that day there had been published in the National Intelligencer the following paragraph from a London paper:*

London, November 10.

"A proclamation is now, we understand, in readiness for his majesty's signature, declaring France and the whole of her vassal kingdoms in a state of siege, and ☞ *prohibiting all intercourse with her or them—and all entrance of vessels into her or their harbours,* ☞ *EXCEPT OF SUCH AS HAVE CLEARED LAST FROM A BRITISH PORT, EITHER HOME OR FOREIGN*"

Thus, between the two nations, our commerce was completely cut up by the roots. The only part of Europe, except her own dominions and dependencies, with which Great Britain allowed us to trade, was Sweden. And the Milan decree, by an extravagance of despotism, folly, and wickedness, never exceeded in the annals of piracy and rapine, regarded every neutral vessel, that had been searched by a British cruiser, as ipso facto *denationalized*, and liable to be taken, bound whence or where she might. The mind is lost in astonishment at this *ne plus ultra* of wickedness, madness, and rapine. It was punishing as criminal, an act perfectly innocent—wholly unavoidable—and in which the party punished had been merely passive!

Under these circumstances, what prudent merchant would send a vessel to sea—liable to capture whatever might be her destination? For even if bound to Sweden, or any other corner of Europe, (if any such there were) not embraced in the scope of decrees and orders in council, she might be searched by an English privateer, and thus be subject to capture by the next French privateer that might overhaul her.

What course had a government to steer, which, bound to watch over the interests of its constituents, was sincerely

* See page 119.

disposed to perform that duty faithfully? Let any man not trammeled by faction or inveterate prejudice, calmly consider this question, and I feel most perfectly satisfied, he will reply—the alternative was, war against both nations—or a general embargo.

Notwithstanding this plain state of the case—notwithstanding the imperious necessity of this measure—there was, as I have stated, no act of the federal government, since its first organization, that excited so much outcry or clamour. It was the subject of incessant abuse in all the federal papers from New-Hampshire to Georgia, and from the Mississippi to the Atlantic. It has been ten thousand times reiterated, that it was unnecessarily oppressive—that it was wicked and tyrannical—dictated by Napoleon—a sacrifice of the dearest interests of the nation—and, to cap the climax, *unconstitutional.*

In times of faction, the public possesses a wonderful faculty of swallowing the most monstrous and improbable falsehoods. It was almost universally believed in the Eastern States, that the embargo was *the result of a combination between the Southern and Western States, to ruin the Eastern!!!* I have repeatedly heard this assertion made by men otherwise of sound minds and cultivated understandings, and whose veracity convinced me that they did not attempt deception, but were themselves deceived. This extravagant idea proceeds upon the miserable and fatuitous supposition, that the merchant, whose vessels remain unemployed at the wharves, will in consequence be ruined; but that the agriculturist, whose wheat, flour, rice, cotton, naval stores, &c. stagnate on his hands, will thereby suffer no injury, or rather derive advantage, although they fall in value 30, 40, 50, or 60 per cent. 'Tis passing strange!

Never was there a more factious or unfounded clamour excited. Never, I repeat, was a public measure more loudly called for by existing circumstances, never one better timed, and never one that would have produced more salutary consequences, had not faction deprived it of its efficacy.

I feel perfectly satisfied, that with the knowledge Mr. Jefferson possessed, of the mighty dangers impending over our commerce, he would have justly merited impeachment for a dereliction of his duty, had he not recommended an embargo for its protection.

Mr. Pickering, was the earliest, the most ardent, and the most zealous opponent of the embargo. After having in vain made every exertion in the Senate to prevent its passing, he laboured, and unfortunately with too much success, to excite a strenuous and seditious opposition to it in his own state, and in

the other Eastern States. He wrote a long, elaborate, and impassioned letter against it to the governor of Massachusetts, in which he endeavoured to prove the measure wholly unnecessary—dictated by France—and adopted purely through hostility to England, who, he unqualifiedly asserted, "had done our commerce no essential injury."

To form a correct idea of the embargo, it must be considered in two points of view, wholly distinct—one, its original enaction—the other, its long duration. The latter may have been, and I believe was, an error. But I should not hesitate at this moment to submit the decision of the question to Governor Strong, Rufus King, George Cabot, or James Lloyd, jun. whether an embargo was not an indispensible measure, at a period when all Europe, except Sweden, was declared in a state of blockade?

The embargo was laid on the 23d of December, 1807. Mr. Pickering's letter was dated Feb. 16, 1808, when it had not been two months in operation; of course its denunciations must have been levelled against the enaction of the law—and had no reference whatever to its duration.

To enable the reader to form a correct estimate of the soundness of Mr. Pickering's denunciation of this measure, let it be observed, that at the date of his letter, ☞ *full and authentic information had arrived in this country, of the enforcement of the Berlin decree, and of the enaction of the orders in council, and of the Milan decree.*

I deem it therefore highly proper to place Mr. Pickering's declarations in contrast with each other—and likewise with the real state of affairs. The reader will then be enabled to decide the question correctly himself.

Let me explain the four succeeding columns. The first contains a statement of the British depredations on American commerce, abstracted from the mercantile memorials of 1805-6—the second, Mr. Baring's statement of the effects of the orders in council—the third, the resolution of the Senate, Feb. 10, 1806, *on which Mr. Pickering voted in the affirmative, and the fourth, Mr. Pickering's vindication of England, Feb. 16, 1808.*

The three first paragraphs of the first column are from the Boston Memorial, signed by James Lloyd, George Cabot, &c. These gentlemen are responsible for the truth or falsehood of the allegations, in which the British government is almost in terms charged with *absolute piracy:* for, according to Messrs. Lloyd and Cabot, and their friends, they were, "*preying upon the unprotected property of a friendly power,*" which is but a mild form of expression for piracy.

1805—6. MEMORIALS.

"WE confine ourselves to the more alarming, because *more extensive detentions and condemnations of American vessels by Great Britain.*" *

"New vessels, on their first passage from the United States to Europe, are arrested, carried out of their course, and injuriously detained under the vexatious pretence of a continuity of voyage from the country or colony of a belligerent." *

"It cannot become the magnanimity of a great and powerful nation *to prey upon the unprotected property of a friendly power.*" *

"Having totally suppressed the external commerce of her enemies, *Great Britan is now counselled to appropriate to herself that of her friends.*" †

"This novel principle goes to *nothing short of the destruction of neutral commerce.*" ‡

"*Every sail is stretched to collect the unwary Americans, who are unsuspectingly confiding in what was the law of nations.*" ‡

"Our vessels and effects, to a large amount, have lately been captured by her commissioned cruisers, upon the foundation of new principles, suddenly invented." §

"The revival of her discarded rule was *characterised with such circumstances of indignity and violence* as rather to heighten by the contrast the veneration of mankind for the past justice of her tribunals." ‖

* Boston memorial.
† New York memorial.
‡ Philadelphia memorial.
‖ Baltimore memorial.

1808. MR. BARING.

"*All trade directly from America to every port and country at war with Great Britain, or from which the British flag is excluded, is totally prohibited. In this general prohibition, every part of Europe, with the exception at present of Sweden, is included: and no distinction whatever is made between the domestic produce of America, and that of the colonies, re-exported from thence.*" *

"It would probably be no exaggeration to say, that *upwards of three fourths of all the merchants, seamen, &c. engaged in commerce or navigation in America, have, at some time or other, suffered from acts of our cruisers*, which to them have appeared unjust, and which frequently must have been so. *They read, it is true, of the power of France.* BUT THEY FEEL EVERY DAY THAT OF BRITAIN." †

"By attempting to confine the European trade of America to Great Britain, and by the avowal of an intention *to tax that trade on its passage to the continent, we are returning to those principles, to which, even as a colony, she would not submit. It is immaterial, whether it be a tax on stamps, or on cotton.* This question has been already the subject of a long and bloody war; and it can hardly be supposed that America will now submit to a direct attack on her sovereign and independent rights." ‡

* Baring's Examination p. 12.
† Idem, p. 74.
‡ Idem, p. 76.

Mr. Pickering's sentiments, Feb. 10, 1806.

"The capture and condemnation under orders of the British government, and adjudications of their courts of admiralty, of American vessels and their cargoes, on the pretext of their being employed in a trade with the enemies of Great Britain, prohibited in time of peace, is *an unprovoked aggression upon the property of the citizens of the United States—a violation of their neutral rights—and an encroachment upon their national independence.*" *

* Resolution agreed to by the senate of the U. States.—Feb. 10, 1806.—See page 108.

Mr. Pickering's sentiments, Feb. 14, 1808.

"These facts demonstrate, that although England with her thousand ships of war, could have destroyed our commerce, SHE HAS REALLY DONE IT NO ESSENTIAL INJURY." *

* Letter from the hon. Timothy Pickering, senator from the state of Mass. to his excellency James Sullivan, governor of the said state, dated Feb. 16, 1808. page 12.

It is not for me, to reconcile Mr. Pickering's sentiments* to each other—nor to the tenor of the Memorials—nor to Mr. Baring's correct view of the orders in council. Let it be observed, let it never be forgotten, that the "*unprovoked aggression*" of 1806, remained unredressed at the date of the letter to Governor Sullivan, February, 1808. And further to this "*unprovoked aggression*" of 1806, the orders in council had been added in 1807, which more than quintupled the original outrage. But even independent of this extravagant addition, it is out of my power, by all the rules of logic at my command, to satisfy my mind how "*the capture and condemnation of our vessels*"—under false "*pretexts*," and, as appears by the memorials of the merchants, to a most enormous amount—"*the unprovoked aggression upon the property of our citizens*"—the "*violation of our neutral rights*"—and "*the encroachment upon our national independence*" can be made to accord with the broad, the sweeping, the unqualified assertion that Great Britain has "*really done our commerce no essential injury.*"

To be serious. The subject requires seriousness and sobriety. Is not this a most astonishing and never-enough-to-be-lamented instance of the horrible delusion in which strong party passions involve those who submit to their guidance? Can light and darkness—vice and virtue—seraphs and demons—be more opposite to each other than these assertions are? Would it not have been a most awful inconsistency had they both been cotemporaneous—had the state of affairs, at the period of making the second, been exactly what it was at the period of making the first? But what an immense aggravation does this inconsistency receive from the consideration, that in Feb. 1808, the first grievances had been unredressed, and others, as I have stated, incomparably more intolerable, been added? The orders in council were, in outrage, and injustice, and infraction of our rights of sovereignty, as far beyond the enforcement of the rule of 1756, which was the ground of complaint in 1806, as wanton murder is beyond mere assault and battery.

Never was I more deceived in my life, than I am at this moment, if every candid, unbiassed reader do not agree with me, that the opposition to the operation of the embargo, was factious, disorganizing, absurd, and impolitic in the extreme; and that those who rendered the law nugatory and unavailing have a high crime to answer for to their injured country.

* Some of the friends of Mr. Pickering, in order to destroy the effect of the inconsistency of these sentiments, have asserted that he did not make the declaration that "England had done our commerce no essential injury." I dare Mr. Pickering thus publicly and explicitly in the face of this nation to deny it himself. I pledge myself to prove it incontrovertibly. But he never will dare a denial.

To avoid the pressure of the embargo, and to hold out inducements to our citizens to violate it, and to leave port clandestinely, the following most extraordinary order in council was published by the British government.

GEORGE R.

Instructions to the commanders of our ships of war and privateers. Given at our court at Windsor, the 11th day of April, 1808, in the 48th year of our reign.

Our will and pleasure is, that you do not interrupt any neutral vessel laden with lumber and provisions, and going to any of our colonies, islands, or settlements in the West-Indies, or South America, *to whomsoever the property may appear to belong, and notwithstanding such vessel may not have regular clearances and documents on board!!!* And in case any vessel shall be met with, and being on her due course to the alleged port of destination, an endorsement shall be made on one or more of the principal papers of such vessel, specifying the destination alleged, and the place where the vessel was so visited. And in case any vessel so laden shall arrive and deliver her cargo at any of our colonies, islands, or settlements aforesaid, such vessel shall be permitted to receive her freight, and to depart, either in ballast, or with any goods that may be legally exported in such vessel, and to proceed to any unblockaded port; notwithstanding the present hostilities, or any future hostilities which may take place. *And a passport for such vessel may be granted to the vessel by the governor, or other person, having the chief civil command of such colony, island, or settlement!*

G. R.

This astonishing document demands the most particular and pointed attention.—The ministers who prostituted the name of their sovereign by subscribing it to such an instrument, merit and must receive the reprobation of every high-minded Englishman, who feels for the honour or dignity of his native country. The world has never seen such another instrument. And I hope there will never be another instance of the kind. I believe that this order alone was adequate cause of war. This at least is certain, that many wars have been declared upon infinitely less provocation. What! one of the most potent monarchs in the world, rather than do justice to an unoffending nation, on which for fourteen years, his ministers had perpetrated the most flagrant outrages, invites, and tempts, and affords facilities to its citizens, to violate the laws of their country, and openly pursue the infamous trade of smuggling!

The subject affords an ample field for, and invites to, copious comments. But I forbear. I leave it to the calm consideration of the candid reader.

CHAPTER XXV.

Enquiry into the Constitutionality of the Act for enforcing the Embargo. Compared with acts passed during the presidency of Gen. Washington and John Adams. Not so rigorous. Factious clamour. Lamentable public delusion.

The original embargo act had been openly and flagrantly violated. The public prints in Boston had audaciously and seditiously invited the citizens to set it at defiance. The British government had also, as we have seen, added the allurement of its powerful invitation. Such an invitation was unnecessary. There are always to be found in every community, men who will seek the shortest road to fortune, whether through the dark paths of smuggling, or otherwise. And these men united their obstreperous brawlings, with the clamour raised by those whose grand object was to harass the government, for the chance of regaining the power they had lost. Thus was removed from the crime of smuggling, the odium it deserved, and transferred to an act calculated to preserve the property of the merchants from belligerent depredation; an act, be it never forgotten, which was the mildest mode of procuring that redress for which the mercantile part of the community had so loudly clamoured—and in the pursuit of which, they had so solemnly pledged themselves to support the government!!!

To prevent these evasions, an act was passed to enforce the embargo. This was necessarily more strict and severe in its provisions than the original act. Meetings were held in various parts of the United States, denouncing the latter as oppressive and unconstitutional. A very numerous and respectable one was held in the city of Philadelphia, attended by a large proportion of the merchants, and a great number of other citizens. Of this meeting Commodore Truxtun was chairman. Sundry resolutions were passed, which embraced the essence of all the objections raised against it throughout the union. I shall assume these resolutions as a text to reason upon, and shall endeavour to refute the objections.

During the administration of General Washington, an embargo act had been passed by Congress. And during his administration, and that of Mr. Adams, various other acts had been passed embracing prohibitory and penal clauses of a tenor similar to those of the embargo law. No federalist will pretend that any of those acts were unconstitutional. Some of their clauses were far more exceptionable than those of of Mr. Jefferson's embargo act. If, therefore, the latter contain no provision whatever, which is not substantially to

be found in those passed during the administration of the two first presidents, I presume that there is not a candid federalist in the union who will hesitate to admit, that the clamour against the former, as unconstitutional, was truly "factious, disorganizing, seditious, and jacobinical."

The 9th, 10th and 11th sections were the most rigorous, the most obnoxious; and, of course, were selected by the Philadelphia meeting, as proper subjects for denunciation. I shall therefore fairly collate them with the corresponding sections of the former embargo and other acts, passed during the reign of federalism, to enable the reader to form his opinion:

Proceedings of the Meeting of the Citizens of Philadelphia, Commodore Truxtun in the Chair.

"*Resolved*, That we consider the late act of Congress, commonly called "The enforcing law," to be a direct invasion of the established principles of civil liberty, and of the express provisions of the constitution; as arbitrary and severe to a degree unnecessary, even to accomplish the objects for which the law is professed to have been enacted; as creating an enormous and dangerous augmentation of executive influence and power; and as unnecessarily exposing the citizen to the miseries of civil discord and military execution.

"*Resolved*, That the 9th section of this act, which authorises a ministerial officer, without *process of law*, to seize goods at his discretion, under a pretence that *he believes* they are intended for exportation, or *apparently* on the way for the territories of a foreign power, is, in our opinion, a breach of the fourth article of the amendments to the constitution, which provides, "that the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated:" and of the 5th article of the amendments, which declares, "that no man shall be deprived of life, liberty, or property, but by due process of law."

'ENFORCING LAW,' Signed by JEFFERSON.	PRECEDENTS Signed by WASHINGTON and ADAMS.
1. 'That the collectors of all 'the districts of the U. States, 'shall be, and they are hereby 'authorized, to *take into their* 'custody specie, or any articles 'of domestic growth, produce, 'or manufacture, *found on board* '*of any ship or vessel, boat, or* '*other water craft*, when there 'is *reason to believe* that they 'are *intended* for exportation:	1. 'That every collector, naval officer, and surveyor, *or other person especially appointed by* '*either of them* for that purpose, shall have full 'power and authority to *enter any ship or vessel*, 'in which they shall *have reason to* SUSPECT any 'goods, wares or merchandise subject to duty 'shall be concealed, and therein to search for, 'seize, and secure any such goods, wares, and 'merchandize,' &c.—See act of 31st July, 1789, sect. 24. Act of 4th August, 1790, sect. 48.
2. 'Or when in vessels, carts, 'waggons, sleighs, or any other 'carriage; or *in any manner* '*apparently on their way* towards the territory of a foreign 'nation, or the vicinity thereof, 'or towards a place where such 'articles are intended to be exported:	'That it shall be the duty of the several officers 'of the customs to make seizure of and secure any 'ship or vessel, goods, wares or merchandise 'which shall be liable to seizure by virtue of this 'act, *as well without, as within their respective* '*districts*.'—See sect. 26 and 50 of the same act.—See also, act of the 2d March, 1799, sect. 68, 70.
3. 'And not to permit such 'articles to be removed, until 'bond with sufficient sureties 'shall have been given for the 'landing, or the delivery of the 'same in some place of the United States, where, in the 'opinion of the collector, there	'That it shall be lawful for any officer of the 'revenue, to go on board of any ship or vessel, 'whether she shall be within, or without his district, and the same to inspect, search, and examine; and if it shall *appear*, that any breach of 'the laws of the United States, has been committed, &c. to make seizure of the same.'—See act of 18th February, 1793, sect. 27.
	'That any of the aforesaid articles (arms and 'ammunition) excepting such of them as may constitute a part of the equipment of any vessel,

'shall not be any danger of 'such articles being exported.' Laws U. States, vol. IX. page 192, sect. 9, of the act to enforce the embargo.

'which, *during the continuance of this prohibition*, 'shall be found on board of any vessel in any river, 'port, bay, or harbour, within the territory of the 'United States, *with an intent to be exported* 'from the United States, to any foreign country, 'shall be forfeited,' &c.—See act of 22d May, 1794, sect. 2.

'That all goods, wares, and merchandise 'brought into the U. States *by land*, contrary to 'this act, shall be forfeited, together with *the* '*carriages, horses and oxen*, that shall be employed in carrying the same; provided nothing 'herein shall be construed to extend to household 'furniture and clothing, belonging to any person, 'or persons, actually coming into any part of the 'United States, for the purpose of becoming an 'inhabitant, or inhabitants thereof.'—See act of 4th August, 1790, sect. 70.

'That it shall be lawful for the President of the 'United States, *to* give instructions to the commanders of the public armed ships of the United 'States to stop and examine any ship or vessel of 'the United States on the high seas, which *there* '*may be reason to suspect* to be engaged in any 'traffic or commerce contrary to the true tenor 'hereof, &c.'—Act of 9th February, 1799, sect. 5.

REMARKS

On the 'Enforcing Law.'

1. "Ministerial officers are authorised to act without process of law.

2. "Ministerial officers may take goods into their custody found on board of any ship or vessel.

3. "Ministerial officers, without process, may seize goods on board of any vessel, when there is *reason to believe*, that they are *intended* for exportation.

On the Precedents.

1. "Ministerial officers are authorised to act without process of law.

2. "Ministerial officers, *or other persons specially appointed by them*, may enter any ship or vessel, and seize the goods on board, *as well without, as within their respective districts:* and commanders of public vessels may seize ships on the high seas, bound to, or sailing towards any interdicted French port, there being reason to suspect an illicit traffic.

3. "Ministerial officers, *or any person appointed by them*, may enter any vessel, in which they *have reason to suspect* goods subject to duty are concealed, &c. And if it shall *appear to them*, that any breach of the laws is committed; or, (in the case of arms and ammunition) that there was *an intent to export*, they may make seizures.

4. "Ministerial officers, without process, may detain goods apparently on their way to be exported, till security is given, that they shall not be exported.

4. "Ministerial officers, without process, may seize goods apparently on their way to be imported by land; and vessels apparently on their way towards a French port, may be seized by military officers.

5. "The power of seizure is confined to goods, &c. found on board of vessels, or apparently *on their way* to be exported. There is no power given to any ministerial officer to enter any house without process."

5. "The seizure is extended to goods, &c. found on board of vessels, or apparently on their way to be imported by land, and to vessels on the high seas. There is no power given to a municipal officer to enter houses without process."

Commodore Truxtun's Third Resolution.

"*Resolved*, That the tenth section is contrary to the spirit of the constitution, inasmuch as it vests in the president a legislative authority by giving to his instructions, in certain cases, the force of law."

'ENFORCING LAW.'

'The *powers given* to the 'collectors, either by this 'or any other act, respecting the embargo, to refuse permission to put 'any cargo on board any 'vessel, boat or other water craft; to detain any 'vessel, or to take into 'their custody any articles 'for the purpose of preventing violations of the 'embargo, *shall be exercised in conformity with 'such instructions, as the 'President may give, and 'such general rules as he 'may prescribe for that purpose*, MADE IN PURSUANCE OF THE POWERS 'AFORESAID; which instructions and general 'rules, the collectors shall 'be bound to obey.'—Idem, section 10.

PRECEDENTS, &c.

Under Washington and Adams.

'That the President of the United States 'be, and he hereby is authorised and empowered, *whenever in his opinion the public safety 'shall so require*, ☞ TO LAY AN EMBARGO on all ships and vessels in the ports of 'the United States, or the ships and vessels of 'any foreign nation, ☞ *under such regulations 'as the circumstances of the case may require*, 'and to continue or revoke the same, whenever he shall think proper. ☞ AND THE 'PRESIDENT IS HEREBY FULLY AUTHORIZED 'TO GIVE ALL SUCH ORDERS TO THE OFFICERS OF THE UNITED STATES AS MAY BE 'NECESSARY TO CARRY THE SAME INTO FULL 'EFFECT.'—See act of 4th June, 1794, sect. 1.

'That an embargo be laid on all ships and 'vessels in the ports of the United States, 'whether already cleared out or not, bound to 'any foreign port or place, except ships or 'vessels under the immediate directions of the 'president of the United States. AND THAT 'THE PRESIDENT OF THE UNITED STATES 'BE AUTHORIZED TO GIVE SUCH INSTRUCTIONS TO THE REVENUE OFFICERS OF THE 'UNITED STATES, AS SHALL APPEAR BEST

'ADAPTED FOR CARRYING THE SAID RESOLUTION INTO FULL EFFECT.'—Resolve of the 26th March, 1792.

'That the president of the United States be, and he is hereby authorized, *to direct the revenue officers, and the officers, commanding forts and revenue cutters*, to aid in the execution of *the health laws of the states*, respectively, *in such manner as may appear to him necessary*.'—Act of 27th May 1796.

'That it shall be lawful for the president of the United States, if he shall deem it expedient and consistent with the interest of the United States, *by his order*, to remit and discontinue, for the time being, the restraints and prohibitions aforesaid, either with respect to the French Republic, or to any island, &c. with which a commercial intercourse may be safely renewed; and also, *to revoke such orders*, whenever, *in his opinion*, the interest of the United States shall so require.'—Act of 9th February, 1799, sect. 4.

'That it shall be lawful for the president of the United States at any time during the continuance of this act, to *order* all such aliens, *as he shall judge* dangerous to the peace and safety of the United States, or shall have *reasonable ground to suspect*, as concerned in any treasonable or secret machinations against the government thereof, to depart out of the territories of the United States, within such times as shall be expressed in such order.' Act of June 25, 1798, sect. 1.

'And all marshals and other officers of the United States, are required to execute all precepts and orders of the president of the United States, issued in pursuance or by virtue of this act.' Idem, sect. 4.

REMARKS

On 'The Enforcing Law.'

1. "There is no *legislative* power given to the president. The constitution declares that he shall see the laws faithfully executed. His instructions are to be given in order to *execute* the law, not to *make* it; and the instructions must be in

On the Precedents.

1. "The president is empowered ☞ TO LAY, AND TO REVOKE EMBARGOES. His discretion in establishing regulations, is only limited "to such *as the circumstances of the case may require*;" while his *orders* might be directed to, and must be obeyed by, *all officers* of the United States *civil and military*, he being constituted *the sole judge* of what orders were necessary, to carry an embargo into effect!

pursuance of *the powers* expressly granted to the collectors by the law."

2. "The president's *instructions* to military and civil officers, are also absolute, without any limitation by law, or *any use of civil process*, to aid in execution of *State Health Laws*; to enforce *the non-intercourse Laws* against France; and to *expel aliens* from the country."

Commodore Truxtun's fourth Resolution.

"*Resolved*, That the eleventh section of the act violates a politics. and "civil right, more sacred than any constitution, in authorising the military "to fire upon the people, without the sanction or interposition of the civil "authority. The principle contained in this section, if much further ex- "tended, might, with competent force, convert our government into an "absolute despotism."

'ENFORCING LAW.'

'It shall be lawful for the 'president of the United 'States, *or such other person* 'as he shall have empowered 'for that purpose*, to employ 'such part of the land or 'naval forces, or militia of 'the United States, or of the 'territories thereof, *as may* 'be judged necessary*, in 'conformity with the provi- 'sions of this and other acts 'respecting the embargo, for 'the purpose of *preventing* 'the illegal departure of any 'ship* or vessel, or of *detain- 'ing, taking possession of, 'and keeping in custody and* 'guarding* any specie or ar- 'ticle of domestic growth, 'produce, or manufacture; 'and also, for the purpose of '*preventing* and *suppressing* 'any armed or riotous assem- 'blage* of persons *resisting* 'the Custom House Officers 'in the exercise of their du- 'ties*, or in any manner op- 'posing *the execution* of the 'laws laying an embargo, or 'otherwise *violating*, or *as- 'sisting and abetting viola- 'tions* of the same.'—Idem, 'Section 11.

PRECEDENTS,
Under Washington and Adams.

'In every case arising under this act, it shall be 'lawful for the President of the United States, or 'such other person as he shall have empowered for 'that purpose*, to employ such part of the land or 'naval forces of the United States, or of the militia 'thereof, *as shall be judged necessary*, for the pur- 'pose of *taking possession of and detaining* any 'such ship, or vessel, with her prize, or prizes, if 'any, in order to the execution of the penalties of 'this act, and to the restoring of such prize or 'prizes, in the cases in which restoration shall have 'been adjudged; and also, for the purpose of *pre- 'venting the carrying on of any such expedition or 'enterprise* from the territories of the United States, 'against the territories, or dominions of a foreign 'prince, or state, with whom the United States are 'at peace.'—Act of the 5th June, 1794, section 7.

'That whenever the laws of the United States 'shall be opposed, or the execution thereof obstruct- 'ed in any state, by combinations too powerful to be 'suppressed by the ordinary course of judicial pro- 'ceedings, or by the powers vested in the marshal 'by this act, [the same powers in executing the laws 'of the United States as sheriffs possess for execut- 'ing the state laws] it shall be lawful for the Presi- 'dent of the United States to call forth the militia 'of such state, or of any other state, or states, as 'may be necessary, to suppress such combinations, 'and to cause the laws to be duly executed.' &c.—Act of the 24th May, 1792.

'Provided, that whenever it may be necessary in 'the judgment of the President, to use the military 'force hereby directed to be called forth, the Pre- 'sident shall, forthwith, by proclamation, command 'such insurgents to disperse, and retire peaceably 'to their respective abodes, within a limited time.'—Ibid, sect. 3.

REMARKS

On 'The Enforcing Law.'

1. "In the '*Enforcing Law*,' there is an authority

On the Precedents.

1. "In the act of the 5th of June, 1794, the same pro-

given to call out such part of the military, as is judged necessary to execute the law. But it is not true, that the military are authorised expressly, or by reasonable implication, to *fire upon the people*, without the sanction or interposition of the civil authority. No such language or meaning can be traced in the law.

2. "The terms of the '*Enforcing Law*' authorizing a call upon the military, are evidently predicated upon the ascertained incompetency of the civil power to execute the law; for the call must be *judged necessary* to effect the specific purposes of the law: but if the custom-house officers can execute the law, with the aid of the civil process, it never could be judged necessary to call out the military,

3. "The '*Enforcing Law*' does not require a proclamation."

vision is made for calling out the military to aid in the execution of the law without any reference to the sanction, or interposition, of the civil authority.

2. "During the respective administrations of *Washington* and *Adams*, the military were often called out without the express sanction or interposition of the civil authority, to aid in the execution of the laws. The instances will occur to every man, who remembers the scenes of 1793 and 1795.

3. "The act of the 28th of February, 1795, requires a proclamation; but it is by way of admonition to the people; and neither suspends the call, nor the employment, of the military. Such was the construction of President *Washington*, under the previous law, of a similar import, passed in 1792."*

To the candour of the reader I freely appeal. Let him carefully compare those various sections together. Let him more particularly observe, that by the act of June 4, 1794, congress actually vested the president with ☞ the *power of* LAYING AN EMBARGO, "*whenever, in his opinion, the public safety should require it;*" which was, so far as respects

* The whole of this comparison of, as well as the remarks upon, these acts, are taken from a pamphlet, published in Philadelphia, in 1809, and entitled "The Constitutionality of the Embargo Laws established by Precedent"—as luminous and unanswerable an essay as ever published.

this important branch of legislation, ☞ *an actual surrender of the legislative power into the hands of the executive magistrate*—and that they likewise conferred on him authority "*to give such orders as might be necessary to carry into effect,*" *the law which he had, of his own mere motion, the "legislative power" to enact.*—When he has duly pondered on these circumstances—when he has fully ascertained that Mr. Jefferson's embargo act in no instance exceeded, and in many fell far short of, the rigour of former laws—will he not be lost in amazement, how it was possible so to excite the public passions, respecting this necessary measure, as to actually endanger the permanence of the union? for it is an indubitable fact that insurrection and rebellion were threatened—and it has been repeatedly asserted, and confidently believed, that the tenth congress, through apprehension of that issue alone, repealed the embargo act.

I ought not to omit, that the legislature of Massachusetts actually passed an act making the enforcement of some of the provisions of the embargo law criminal, and attaching to it certain penalties. It is out of my power to procure the act, or to state its details. But of its existence there is not the shadow of a doubt.

CHAPTER XXVI.

*Patriotic Proceedings.**

I ANNEX a few specimens of the style and substance of the resolutions and legislative remarks upon the embargo—in order to satisfy the reader that I have not exaggerated the deplorable and disgraceful phrenzy of the public mind.

Extract from the resolutions of the town of Gloucester, January 12th, 1809.

"*Resolved*, That we will mutually watch and protect what little property we have still left—that we will use all *lawful* means 'to arrest disturbers and breakers of the peace or such others as may, (*under pretence of authority from government*) go armed by night,' or utter any menaces, or threatening speeches, to the fear and terror of the good people of this town; and that we will ever hold in abhorrence pimps, and spies, and night-walkers, who strive to fatten on the spoils of their suffering fellow-citizens.

"*Resolved*, That to our *state government we look for council, protection and relief, at this awful period of general calamity.*"

Extract from the resolutions of the town of Bath, December 27, 1808.

"*Resolved*, that we have hitherto borne with silence the severe pressure of

* The factious, and seditious, and jacobinical proceedings that took place in the eastern states in the year 1809, and shook the government to its centre, were paraded in many of the federal papers throughout the union with great solemnity, headed with the words "PATRIOTIC PROCEEDINGS," in staring capitals. It is truly lamentable to reflect on the extravagant lengths to which the spirit of party leads its followers. Never was the word "*patriotic*" more grossly misapplied.

these ruinous laws [embargo laws]—and although we now deem it our *duty to speak with firmness and decision our detestation of them, and the policy which gave rise to them*, we will still keep down the spirit of indignation which swells within us at the endurance of them; and will conduct toward the national government and its several officers with suitable deference and moderation; that we do, however, despair of obtaining any redress of these grievances, from that government, while its principal offices are filled as at present; and that our only hope is that the state governments, by their remonstrances and resolutions, may have more influence in effecting this object, than the petitions and memorials of individuals and towns.

"*Resolved, therefore*, That a respectful address be forwarded in the name of the people of this town to the legislature of this commonwealth, stating to them the wrongs and grievances we already suffer, and the fearful apprehensions we experience of speedily having our calamity increased by the addition of still more restrictive and arbitrary laws; expressing to them our approbation of the measures they have already adopted upon this important subject, and requesting them to take such other immediate steps for relieving the people, either by themselves alone, *or in concert with other commercial states, as the extraordinary circumstances of our situation may require.*"

Extract from the memorial of the town of Boston to the legislature of Massachusetts, January 25th, 1809.

"The inhabitants of the town of Boston, in town meeting assembled, respectfully represent—That they are constrained to apply to your honourable body, as the immediate guardians of their rights and liberties, for your *interposition* to procure for them *relief* from the *grievances* which they now *suffer*, under the operation of the laws of the general government, abolishing foreign commerce, and subjecting the coasting trade to embarrassments which threaten its annihilation. Our hope and consolation rest with the legislature of our state, *to whom it is competent to devise means of relief against the unconstitutional measures of the general government*: that your power is adequate to this object is evident *from the organization of the confederacy.*"

Extract from the proceedings of the town of Topsfield, January 15th, 1809.

"*Resolved*, That such has been our suffering, and so great is our alarm, occasioned by the extraordinary measures lately adopted, that we shall never be contented until we are secured from a repetition of the same evils. That a bare repeal of the obnoxious acts ought not, therefore, to satisfy a free and prudent people, any more than the repeal of the British stamp act silenced the patriots of that day—that there ought to be a solemn renunciation of the right thus assumed; and it is the opinion of this assembly, that legal and constitutional measures should be adopted for that purpose.

"This assembly declare it as their deliberate opinion that there exists NO CAUSE of war with Great Britain; that such a war would be unjust, unnecessary, and extremely to be deplored; that the removal of the embargo will not necessarily involve us in war; but should this be the alternative, it ought to be a war with France, and not with Great Britain.

"Inhabiting a part of the union the most engaged in foreign commerce, they think themselves qualified to decide upon its risks, and the nature and extent of the injuries to which it is exposed; and it is their firm belief that our commerce, unrestrained by self-destroying measures, might find many sources of profitable employment, *without interfering in any degree with those principles of maritime law*, which GREAT BRITAIN *deems essential to her existence, and which in an eventful moment like the present she will* NEVER YIELD.

"And this assembly cannot refrain from expressing their conviction, that neither the honour nor the permanent interests of the United States require that we should drive Great Britain, if it were in our power, to *the surrender of those claims so essential to her in the mighty conflict in which she is at present engaged; a conflict interesting to humanity, to morals, to religion, and the last struggle of liberty.*"

Extract from a Circular Handbill, published at Newburyport.

"You have reposed confidence in a COWARD, [Jefferson,] and leaned on a broken staff too long.—The day of political probation is fast verging to a close

when the fate of America will be decided, and laurels bought with the price of freemen's blood will grace the brows of the Gallic tyrant. Let every man who holds the name of America dear to him, stretch out his hand, and put this accursed thing, the EMBARGO, from him. ☞ Be resolute: ☞ act like the sons of liberty, of GOD and of your country—☞ nerve your arms with VENGEANCE against the DESPOT who would wrest the inestimable gem of your independence from you—and ☞ you shall be *conquerors!*

"Give ear no longer to the syren voice of democracy and *Jeffersonian liberty*. It is a cursed delusion, adopted by traitors, and recommended by sycophants.

"Jefferson—a man, who with the DAGGER of *popular confidence* first gave the stab to your liberties."

Extract from the proceedings of the town of Augusta in Maine, Jan. 16, 1809.

"The awful crisis has arrived, when it becomes necessary for the friends of our independence, to make a firm and decided stand—when it becomes all-important to throw aside minor considerations, and unite for the common good; and when a sense of common danger draws us together to meet the approaching storm.

"With submission almost amounting to criminal apathy, we have suffered privations and restrictions *never before expected if, or endured by, a free people.* Now, that even the means of subsistence is at hazard, and the sacred asylum of our dwellings, is no longer held inviolable—silence would be *crime*, and ☞ *resistance would become a virtue of the first magnitude!!!*

"Resolved, that the restrictions and impositions on our trade and commerce, are too great and ruinous any longer to be borne—and that the general distress of our country demands immediate relief."

"Every man will presume that he is not bound to regard it [the Embargo] but may send his produce or his merchandize to a foreign market in the same manner, as if the government had never undertaken to prohibit it."

Boston Centinel.

"We know if the embargo be not removed, our citizens will ere long set its penalties and restrictions at defiance. It behoves us to speak; for *strike we must*, if speaking does not answer." *Boston Repertory.*

"It is better to suffer the AMPUTATION of a Limb, than to lose the WHOLE BODY. *We must prepare for the operation*———Wherefore then is *New England* asleep—wherefore does she SUBMIT to the oppression of *enemies* in the South?———Have we no Moses, who is inspired by the God of our Fathers, and *will lead us out of Egypt.*" *Boston Gazette.*

"This perpetual embargo being unconstitutional, every man will perceive that he is not bound to regard it, but may send his produce or merchandize to a foreign market in the same manner as if the government had never undertaken to prohibit it!—If the petitions do not produce a relaxation or removal of the embargo, *the people ought immediately to assume a higher tone.*

"*The government of Massachusetts* has also a *duty* to perform. This state is still sovereign and independent." *Boston Centinel, September 10th, 1808.*

Extract from the speech of Mr. Hillhouse, in the senate of the United States, on the bill for enforcing the embargo.

"In my mind the present crisis excites the most serious apprehensions. ☞ *A storm seems to be gathering* which portends not a *tempest* on the *ocean*, but ☞ *domestic convulsions!*—However painful the task, a sense of duty calls upon me to raise my voice, and use my utmost exertions to prevent the passing of this bill. I feel myself bound in conscience to declare, *lest the blood of those who should fall in the execution of this measure may lie on my head, that I consider this to be an act which directs a mortal blow at the liberties of my country: an act containing unconstitutional provisions, to which* ☞ THE PEOPLE

ARE NOT BOUND TO SUBMIT, *and to which, in my opinion, they will not submit.*"*†

This speech requires a most serious reflection. A senator of the United States—whose age ought to have secured him from the heyday of passion and violence, and taught him sobriety and gravity, in his place invites and encourages his fellow citizens to insurrection and rebellion! And the law to which he excites resistance is not so rigorous, as laws which, I believe, he had concurred to frame: for I am persuaded he was in congress when those laws to which I have referred, were passed.

A large volume might be filled with similar "patriotic proceedings," as they were then styled, which threatened the peace of the nation with destruction. No pains had been spared to fan the flame. The public mind, by incessant appeals to the passions, had been excited to a species of delirium and madness. And such was the awful and disgraceful delusion, that the sufferings of the country by the lawless proceedings of the belligerents, were unjustly ascribed to the measures of the government, calculated to enforce redress! Greater insanity can hardly be conceived.

CHAPTER XXVII.

John Henry's Mission to the Eastern States. Instructions from the Governor General of British America.

COTEMPORANEOUSLY with the "*patriotic proceedings,*" of which I have presented the reader with a slight sketch in the preceding chapter, a most extraordinary circumstance occurred in Canada. Sir James H. Craig, governor general of the British provinces in North America, employed a certain John Henry on a mission to the Eastern States, to ascertain the views of the malcontents, and how far, if they obtained "*a decided influence,*" they would "*exert that influence to bring about a separation from the general union.*" Also "*how far, in such an event, they would look to England for assistance, or be disposed to enter into a connexion with us*" [the people of Canada.]

This is a most important feature in the history of our era. I shall, therefore, give the whole of the correspondence between Sir James and Mr. Henry, *in extenso*, without comment. Let the reader decide for himself as to the nature of the transaction.

* For the preceding extracts I am indebted to a pamphlet, styled "Things as they are," by H. Niles.

† Boston Centinel, Jan. 12, 1809.

No. I.

Mr. Ryland, secretary to sir James Craig, late governor-general of the British provinces in North America, to Mr. Henry.

[Most secret and confidential.]

Quebec, 26th January, 1809.

My dear sir—*The extraordinary situation of things at this time in the neighbouring states*, has suggested to the governor in chief, the idea of employing you on a secret and confidential mission to Boston, provided an arrangement can be made to meet the important end in view, without throwing an absolute obstacle in the way of your professional pursuits. *The information and political observations heretofore received from you were transmitted by his excellency to the secretary of state, who has expressed his particular approbation of them: and there is no doubt that your able execution of such a mission as I have above suggested, would give you a claim not only on the governor-general, but on his majesty's ministers*, which might eventually contribute to your advantage. You will have the goodness, therefore, to acquaint me, for his excellency's information, whether you could make it convenient to engage in a mission of this nature, and what pecuniary assistance would be requisite to enable you to undertake it without injury to yourself.

At present it is only necessary for me to add, that the governor would furnish you with a cypher for carrying on your correspondence; and that in case the leading party in any of the states wished to open a communication with this government, their views might be communicated through you.

I am, with great truth and regard, my dear sir, your most faithful, humble servant,

(Signed) HERMAN W. RYLAND.

John Henry, Esq.

No. II.

Montreal, January 31, 1809.

I have to acknowledge the favour of your letter of the 26th inst. written by the desire of his excellency the gov. in chief; and hasten to express, through you, to his excellency, my readiness to comply with his wishes.

I need not add how very flattering it is to receive from his excellency the assurance of the approbation of his majesty's secretary of state for the very humble services that I may have rendered.

If the nature of the services in which I am to be engaged will require no other disbursements than for my individual expenses, I do not apprehend that these can exceed my private resources.

I shall be ready to take my departure before my instructions can be made out.

I have the honour to be, &c. J. H'y.

H. W. Ryland, Esq. Sec. &c.

No III.

General Instructions from sir J. H. Craig to Mr. Henry, respecting his secret mission.

[Most secret and confidential.]

Quebec, 6th February, 1809.

Sir—As you have so readily undertaken the service which I have suggested to you as being likely to be attended with much benefit to the public interests, I am to request that with your earliest convenience you will proceed to Boston.

The principal object that I recommend to your attention, is the endeavour to obtain the most accurate information of the true state of affairs in that part of the union, which, from its wealth, the number of its inhabitants, and the known intelligence and ability of several of its leading men, must naturally possess a very considerable influence over, and will indeed probably lead, the other eastern states of America in the part they may take at this important crisis.

I shall not pretend to point out to you the mode by which you will be most likely to obtain this important information. Your own judgment, and the connections which you may have in the town, must be your guide.

I think it however necessary to put you on your guard against the sanguineness of an aspiring party. The federalists, as I understand, have at all times discovered a leaning to this disposition; and their being under its particular influence at this moment, is the more to be expected from their having no ill founded ground for their hopes of being *nearer the attainment of their object* than they have been for some years past.

In the general terms which I have made use of in describing the object which I recommend to your attention; it is scarcely necessary, that I should observe, I include the state of the public opinion, both with regard to their internal politics and to the probability of a war with England; the comparative strength of the two great parties into which the country is divided; and the views and designs of that which may ultimately prevail.

It has been supposed that if the federalists of the eastern states should be successful in obtaining that decided influence, which may enable them to direct the public opinion, it is not improbable, that rather than submit to a continuance of the difficulties and distress to which they are now subject, they will exert that influence to bring about a separation from the general union. The earliest information on this subject may be of great consequence to our government; as it may also be, that it should be informed *how far in such an event they would look to England for assistance, or be disposed to enter into a connection with us.*

Although it would be highly inexpedient that you should in any manner appear as an avowed agent; yet if you could contrive to obtain an intimacy with any of the leading party, it may not be improper that you should insinuate, though with great caution, that if *they should wish to enter into any communication with our government through me, you are authorised to receive any such, and will safely transmit it to me:* and as it may not be impossible that they should require some document by which they may be assured, that you are really in the situation in which you represent yourself, *I enclose a credential to be produced in that view.* But I most particularly enjoin and direct, that you do not make use of this paper, unless a desire to that purpose should be expressed; and *unless you see good ground for expecting that the doing so may lead to a more confidential communication,* than you can otherwise look for.

In passing through the state of Vermont, you will of course exert your endeavours to procure all the information that the short stay you will probably make there will admit of.—You will use your own discretion as to delaying your journey, with this view, more or less, in proportion to your prospects of obtaining any information of consequence.

I request to hear from you as frequently as possible: and as letters addressed to me might excite suspicion, it may be well that you put them under cover to Mr. ———. And as even the addressing letters always to the same person might attract notice, I recommend your sometimes addressing your packet to the chief justice here, or occasionally, though seldom, to Mr. Ryland; but never with the addition of his official description.

I am, sir, your most obedient humble serv't,

(Signed) J. H. CRAIG.

John Henry, Esq.

No. IV.

Credential from Sir James Craig to Mr. Henry.

(Copy.) [SEAL.]

The bearer Mr. John Henry, is employed by me, and full confidence may be placed in him for any communication which any person may wish to make to me *in the business committed to him.* In faith of which I have given him this under my hand and seal at Quebec, the 6th day of February, 1809.

(Signed) J. H. CRAIG.

No V.

To his excellency the Governor General, &c. in answer to his letter of instructions.

Montreal, February 10, 1809.

Sir—I have the honour to acknowledge the receipt of your excellency's letter of instructions, the letter of credence, and the cypher for carrying on my correspondence. I have bestowed much pains upon the cypher; and am, not-

withstanding this, deficient in some points which might enable me to understand it clearly. I have compared the example with my own exemplification of the cypher, and find a difference in the results: and as the present moment seems favourable to the interference of his majesty's government in the measures pursued by the federal party in the northern states, and more especially as the assembly of Massachusetts is now in session, I think it better to set forward immediately, than wait for any further explanation of the means of carrying on a secret correspondence; which the frequency of safe private conveyances to Canada will render almost wholly unnecessary. Should it however be necessary at any time, I take leave to suggest that the index alone furnishes a very safe and simple mode. In it there is a number for every letter in the alphabet, and particular numbers, for particular phrases; so that when I do not find in the index the particular word I want, I can spell it with the figures which stand opposite to the letters. For example, if I want to say that "troops are at Albany," I find under the letter "T" that number 15 stands for "troops," and number 125 for "Albany." The intervening words "*are at*" I supply by figures corresponding with the letters in these words.

It will be necessary to provide against accident by addressing the letters to Mr. ———, of Montreal, with a small mark on the corner of the envelope which he will understand. When he receives it, he will then address the enclosure to your excellency, and send it from Montreal by mail. I will be careful not to address your excellency in the body of the letter, nor sign my name to any of them.—They will be merely designated by the initials A. B.

If this mode should in any respect appear exceptionable, your excellency will have the goodness to order a more particular explanation of the card. It would reach me in safety addressed to ———, Boston.

I have the honour to be, &c. J. H'y.

No. VI.

Burlington, Vermont, Feb. 14, 1809.

Sir—I have remained here two days, in order fully to ascertain the progress of *the arrangements heretofore made for organizing an efficient opposition to the general government*, as well as to become acquainted with the opinions of the leading people, relative to the measures of that party which has the ascendency in the national councils.

On the subject of the embargo laws there seems but one opinion; namely, that they are *unnecessary, oppressive, and unconstitutional.* It must also be observed that the execution of them is so invidious as to attract towards the officers of government the enmity of the people, which is of course transferable to the government itself; so that in case the state of Massachusetts should take any bold step towards resisting the execution of these laws, it is highly probable that it may calculate upon the hearty co-operation of the people of Vermont.

I learn that the governor of this state is now visiting the towns in the northern section of it; and *makes no secret of his determination, as commander in chief of the militia, to refuse obedience to any command from the general government which can tend to interrupt the good understanding that prevails between the citizens of Vermont and his majesty's subjects in Canada.* It is further intimated, that, in case of a war, *he will use his influence to preserve the state neutral;* and resist, with all the force he can command, any attempt to make it a party. I need not add, that if these resolutions are carried into effect, *the state of Vermont may be considered as an ally of Great Britain.*

To what extent the sentiments which prevail in this quarter exist in the neighbouring states, or even in the eastern section of this state, I am not able to conjecture. I can only say, with certainty, that the leading men of the federal party act in concert; and, therefore, infer, that a common sentiment pervades the whole body throughout New England.

I have seen a letter from a gentleman now at Washington to his friend in this place; and as its contents may serve to throw some light on passing events there, I shall send either the original or a copy with this despatch. The writer of the letter is a man of character and veracity; and whether competent or not to form correct opinions himself, is probably within the reach of all the

knowledge that can be obtained by the party to which he belongs. It appears by his statement that there is a very formidable majority in congress on the side of the administration; notwithstanding which, there is every reason to hope, that *the northern states in their distinct capacity will unite and resist by force a war with Great Britain.* In what mode this resistance will first shew itself, is probably not yet determined upon; and may in some measure depend upon the reliance that the leading men may place upon assurances of support from his majesty's representatives in Canada; and as *I shall be on the spot to tender this whenever the moment arrives that it can be done with effect*—there is no doubt that *all their measures may be made subordinate to the intentions of his majesty's government.* Great pains are taken by the men of talents and intelligence to *confirm the fears of the common people, as to the concurrence of the southern democrats in the projects of France; and every thing tends to encourage the belief, that the dissolution of the confederacy will be accelerated by that spirit which now actuates both political parties.*

I am, &c. A. B.

No. VIII.

Windsor, Vermont, Feb. 10, 1809.

Sir—My last was written at Burlington, the principal town in the northern part of the state of Vermont. I am now at the principal town in the eastern section.

The fallacy of men's opinions when they act under the influence of sensibility, and are strongly excited by those hopes which always animate a rising party, lead me to doubt the correctness of the opinions which I received in the northern section of this state; which, from its contiguity to Canada, and necessary intercourse with Montreal, has a strong interest in promoting a good understanding with his majesty's government. Therefore, since my departure from Burlington, I have sought every favourable occasion of conversing with the democrats on the probable result of the policy adopted by the general government. The difference of opinion is thus expressed.

The federal party declare, that in the event of a war, *the state of Vermont will treat separately for itself with Great Britain;* and support, to the utmost, the stipulations into which it may enter, without any regard to the policy of the general government. The democrats on the other hand assert, that, in such a case as that contemplated, the people would nearly be divided into equal numbers; one of which would support the government, if it could be done without involving the people in a civil war: but at all events would risk every thing in preference to a coalition with Great Britain.—This difference of opinion is not to be wholly ascribed to the prejudices of party. The people in the eastern section of Vermont are not operated upon by the same hopes and fears as those on the borders of the British colony. They are not dependent upon Montreal for the sale of their produce, nor the supply of foreign commodities. They are not apprehensive of any serious dangers or inconvenience from a state of war: and although they admit that the governor, council, and three-fourths of the representation in congress are of the federal party, yet they do not believe that the state would stand alone and resist the national government. They do not however deny, that should the state of Vermont continue to be represented as it is at present, it would in all probability unite with the neighbouring states, in any serious plan of resistance to a war, which it might seem expedient to adopt.—This I think is the safer opinion for you to rely on; if indeed reliance ought to be placed on any measure depending upon the will of the rabble, which is ever changing, and must ever be marked with ignorance, caprice, and inconstancy. As the crisis approaches, the difficulty of deciding upon an hazardous alternative will increase. And unfortunately there is not in Vermont any man of commanding talents, capable of attracting *general confidence;* of infusing into the people his own spirit; and, amidst the confusion of conflicting opinions, dangers and commotion, competent to lead in the path of duty or safety. The governor is an industrious, prudent man, and has more personal influence than any other. But his abilities are not suited to the situation in which a civil war would place him. I am, &c. A. B.

No. VIII.

Amherst, New Hampshire, Feb. 23, 1809.

Sir—A gentleman going direct to Canada, affords a safe and favourable opportunity of giving you some further account of my progress. I will not make use of the post-offices, when I can avoid it; because private occasions supercede the necessity of writing in cypher. And the contempt of decency and principle, which forms part of the morals of the subaltern officers of a democracy, would incline them to break a seal with the same indifference, that they break their words, when either curiosity or interest is to be indulged.

I have not had sufficient time nor evidence, to enable me *to form any opinion for myself*, of the lengths to which the federal party will carry opposition to the national government in the event of a war. Much may be inferred from the result of the elections of governors, which within two months will be made in the states of Massachusetts, New Hampshire, and Rhode Island. From all I know and all I can learn of the general government, I am not apprehensive of an immediate war. The embargo is the favourite measure. And it is probable that other means will be employed to excite England to commit some act of hostility, for the sole purpose of placing the responsibility of war on that country. This I most particularly recommend to the consideration of ministers. The dread of opposition, and the loss of popularity, will certainly keep the ruling party at Washington inactive.—They will risk any thing but the loss of power; and they are well aware that their power would pass away with the first calamity which their measures might bring upon the common people (from whom that power emanates,) unless indeed they could find a sufficient excuse in the conduct of Great Britain. This impression cannot be too deeply felt by his majesty's ministers; nor too widely spread throughout the British nation. It will furnish a sure guide in every policy that may be adopted towards the United States. I have the honour to be, &c.

A. B.

No. IX.

Boston, March 5, 1809.

Sir—I am favoured with another opportunity of writing to you by a private conveyance; and think it probable, at this season, that the frequency of these will render it unnecessary to write to you in cypher.

It does not yet appear necessary that I should discover to any person the purpose of my visit to Boston; nor is it probable that I shall be compelled, for the sake of gaining more knowledge of the arrangements of the federal party in these states, to avow myself as a regular authorized agent of the British government, even to those individuals who would feel equally bound with myself to preserve with the utmost inscrutability so important a secret from the public eye.

I have sufficient means of information to enable me to judge of the proper period for offering the co-operation of Great Britain, and opening a correspondence between the governor general of British America and those individuals, who, from the part they take in the opposition to the national government, or the influence they may possess in any new order of things, that may grow out of the present differences, should be qualified to act on behalf of the northern states.——An apprehension of any such state of things, as is presupposed by these remarks, begins to subside; since it has appeared, by the conduct of the general government, that it is seriously alarmed at the menacing attitude of the northern states. But although it is believed that there is no probability of an immediate war, yet no doubts are entertained, that Mr. Madison will fall upon some new expedients to bring about hostilities. What these may be can only be deduced from what appears to be practicable. A *non-intercourse* with England and France will probably supersede the embargo; which, by opening with the rest of Europe a partial legitimate commerce, and affording strong temptations to that which is illegal, will expose the vessels to capture, detention and embarrassment; will justify the present policy; and produce such a degree of irritation and resentment as will enable the government of this country to throw the whole blame and responsibility of war from its own shoulders upon those

of the British ministry. If in this, the party attached to France should calculate with correctness, and the commerce of New England would greatly suffer —the merchants being injured and discouraged, would not only acquiesce in the restrictive systems, but even submit to war. On the other hand, should the small traffic permitted by a non-intercourse law be lucrative and uninterrupted, *the people would be clamorous for more, and soon compel the government to restore the friendly relations between the two countries.* While I offer my opinion upon this subject, I cannot but express a strong hope that if any terms should be proposed by either government, to which the other might think proper to accede, that, A PRINCIPAL MOTIVE TO THE ADJUSTMENT OF DIFFERENCES SHOULD BE UNDERSTOOD TO ARISE FROM THE AMICABLE DISPOSITION OF THE EASTERN STATES, PARTICULARLY OF THE STATE OF MASSACHUSETTS. THIS, AS IT WOULD INCREASE THE POPULARITY OF THE FRIENDS OF GREAT BRITAIN, COULD NOT FAIL TO PROMOTE HER INTERESTS. If it could not be done formally and officially, nor in a correspondence between ministers, still perhaps the administration in the parliament of Great Britain might take that ground: and the suggestion would find its way into the papers both in England and America.

It cannot be too frequently repeated, that this country can only be governed and directed by the influence of opinion; as there is nothing permanent in its political institutions; nor are the populace, under any circumstances, to be relied on, when measures become inconvenient and burdensome. I will soon write again, and am, &c. A. B.

No. X.

Boston, March 7, 1809.

Sir—I have now ascertained, with as much accuracy as possible, the course intended to be pursued by the measures and politics of the administration of the general government.

I have already given a decided opinion that a declaration of war is not to be expected; but, contrary to all reasonable calculation, should the congress possess spirit and independence enough to place their popularity in jeopardy by so strong a measure, THE LEGISLATURE OF MASSACHUSETTS WILL GIVE THE TONE TO THE NEIGHBOURING STATES; WILL DECLARE ITSELF PERMANENT UNTIL A NEW ELECTION OF MEMBERS; INVITE A CONGRESS, TO BE COMPOSED OF DELEGATES FROM THE FEDERAL STATES, AND ERECT A SEPARATE GOVERNMENT FOR THEIR COMMON DEFENCE AND COMMON INTEREST.

This congress would probably begin by abrogating the offensive laws, and adopting a plan for the maintenance of the power and authority thus assumed. *They would by such an act be in a condition to make or receive proposals from Great Britain;* and I should seize the first moment to open a correspondence with your excellency. Scarce any other aid would be necessary, and perhaps none required, than a few vessels of war from the Halifax station, to protect the maritime towns from the little navy which is at the disposal of the national government. What permanent connexion between Great Britain and this section of the republic would grow out of a civil commotion, such as might be expected, no person is prepared to describe. But it seems that a strict alliance must result of necessity. At present the opposition party confine their calculations merely to resistance; and I can assure you that at this moment they do not freely entertain the project of withdrawing the eastern states from the union, finding it a very unpopular topic; although a course of events, such as I have already mentioned, would inevitably produce an incurable alienation of the New England from the southern states. The truth is, the common people have so long regarded the constitution of the United States with complacency, that they are now only disposed in this quarter to treat it like a truant mistress, whom they would for a time put away on a separate maintenance, but, without farther and greater provocation, would not absolutely repudiate.

It will soon be known in what situation public affairs are to remain until the meeting of the new congress in May, at which time also this legislature

will again assemble. The two months that intervene will be a period of much anxiety.

In all I have written, I have been careful not to make any impression analogous to the enthusiastic confidence entertained by the opposition, nor to the hopes and expectations that animate the friends of an alliance between the northern states and Great Britain. I have abstracted myself from all the sympathies these are calculated to inspire; because, notwithstanding that I feel the utmost confidence in the integrity of intention of the leading characters in this political drama, I cannot forget that they derive their power from a giddy, inconstant multitude; who, unless in the instance under consideration they from an exception to all general rules and experience, will act inconsistently and absurdly. I am, &c. A. B.

No. XI.

Boston, March 10, 1809.

Sir—In my letter No. 9, I took the liberty to express my opinion of the probable effect of the non-intercourse law intended to be enacted; and of the mode by which Great Britain may defeat the real intention of the American government in passing it. But as the sort of impunity recommended might, in its application to every species of commerce that would be carried on, be deemed by Great Britain a greater evil than war itself, a middle course might easily be adopted, which would deprive France of the benefit resulting from an intercourse with America, without, in any great degree, irritating the maritime states.

The high price of all American produce in France furnishes a temptation which mercantile avarice will be unable to resist. The consequence is obvious. But if instead of condemning the vessels and cargoes which may be arrested in pursuing this prohibited commerce, they should be compelled to go into a British port, and there permitted to sell them, I think the friends of England in these states, would not utter a complaint. Indeed, I have no doubt, that if, in the prosecution of a lawful voyage, the British cruizers should treat American ships in this manner, their owners would in the present state of the European markets, think themselves very fortunate; as it would save them the trouble and expense of landing them in a neutral port, and from thence re-ship them to England, now the best market in Europe for the produce of this country.—The government of the United States would probably complain, and Bonaparte become peremptory; but even that would only tend to render the opposition in the northern states more resolute, and accelerate the dissolution of the confederacy. The generosity and justice of Great Britain would be extolled, and the commercial states exult in the success of individuals over a government inimical to commerce, and to whose measures they can no longer submit with patient acquiescence.

The elections are begun; and I presume no vigilance or industry will be remitted to insure the success of the federal party. I am, &c. A. B.

P. S. Intelligence has reached Boston, that a non-intercourse law has actually passed, and that Martinique has surrendered to the British forces.

No. XII.

Boston, March 13, 1809.

Sir—You will perceive from the accounts that will reach you in the public papers both from Washington and Massachusetts, that the federalists of the northern states have succeeded in making the congress believe, that with such an opposition as they would make to the general government, a war must be confined to their own territory, and might be even too much for that government to sustain. The consequence is, that after all the parade and menaces with which the session commenced, it has been suffered to end without carrying into effect any of the plans of the administration, except the interdiction of commercial intercourse with England and France—an event that was anticipated in my former letters.

Under what new circumstances the congress will meet in May, will depend on the state elections, and the changes that may in the mean time take place in Europe. With regard to Great Britain, she can scarce mistake her true policy in relation to America. If peace be the first object, every act which

can irritate the maritime states ought to be avoided; because the prevailing disposition of these will generally be sufficient to keep the government from hazarding any hostile measure. *If a war between America and France be a grand desideratum, something more must be done; an indulgent conciliatory policy must be adopted,* which will leave the democrats without a pretext for hostilities; and Bonaparte, whose passions are too hot for delay will, probably, compel this government to decide which of the two great belligerents is to be its enemy. *To bring about a separation of the states, under distinct and independent governments, is an affair of more uncertainty; and however desirable cannot be effected but by a course of state and long continued policy, tending to irritate the southern, and conciliate the northern people.* The former are, agricultural in the latter a commercial people. The mode of cheering and depressing either is too obvious to require illustration. This, I am aware, is an object of much interest in Great Britain; *as it would forever secure the integrity of his majesty's possessions on the continent, and make the two governments, or whatever number the process confederacy might form into, as useful and as much subject to the influence of Great Britain, as her colonies can be rendered.* But it is an object only to be attained by slow and circumspect progression; and requires for its consummation more attention to the affairs which agitate and excite parties in this country, than Great Britain has yet bestowed upon it. An unpopular war—that is, a war produced by the hatred and prejudices of one party but against the consent of the other party, can alone produce a sudden separation of any section of this country from the common head.

At all events, it cannot be necessary to the preservation of peace, that Great Britain should make any great concession at the present moment; *more especially as the more important changes that occur in Europe might render it inconvenient for her to adhere to any stipulations in favour of neutral maritime nations.*

Although the non-intercourse law affords but a partial relief to the people of this country from the evils of that entire suspension of commerce to which they have reluctantly submitted for some time past, *I lament the repeal of the embargo; because it was calculated to accelerate the progress of these states towards a revolution that would have put an end to the only republic that remains to prove that a government founded on political equality can exist in a season of trial and difficulty, or is calculated to insure either security or happiness to a people.*

I am, &c. A. B.

No. XIII.

Boston, March 20, 1809.

Sir—Since my letter of the 13th, nothing has occurred which I thought worthy of a communication.

The last week of this month and the first of April will be occupied in the election of governors and other executive officers in the New England states.

The federal candidate in New Hampshire is already elected by a majority of about 1000 votes. His competitor was a man of large fortune, extensive connexions, and inoffensive manners. These account for the smallness of the majority.

In Connecticut, no change is necessary: and none is to be apprehended.

In Rhode Island, it is of no consequence of what party the governor is a member; as he has neither civil nor military power, being merely president of the council.

In Massachusetts, it is certain that the federal candidate will succeed.

A few weeks will be sufficient in order to determine the relative strength of parties, and convince Mr. Madison that a war with Great Britain is not a measure upon which he dare venture. Since the plan of an organized opposition to the projects of Mr. Jefferson was put into operation, the whole of the New England states have transferred their political power to his political enemies: and the reason that he has still so many adherents is, that those who consider the only true policy of America to consist in the cultivation of peace, have still great confidence, that nothing can force him (or his successor who acts up to his system, or rather is governed by it) to consent to war. They consider all the menaces and "dreadful note of preparation" to be a mere finesse, intended only to obtain concessions from England

on cheap terms. From every sort of evidence, I confess I am myself of the same opinion; and am *fully persuaded that the force which has been acting at Washington will terminate in full proof of the imbecility and spiritless temper of the actors.* A war attempted without the concurrence of both parties, and the general consent of the northern states, which constitute the bone and muscle of the country, must commence without hope, and end in disgrace. IT SHOULD, THEREFORE, BE THE PECULIAR CARE OF GREAT BRITAIN TO FOSTER DIVISIONS BETWEEN THE NORTH AND SOUTH; *and by succeeding in this, she may carry into effect her own projects in Europe, with a total disregard to the resentment of the democrats of this country.*

I am, &c. A. B.

No. XIV.

Boston, April 13, 1809.

Sir—I send to Mr. B. a pamphlet entitled "Suppressed documents." The notes and comments were written by the gentleman who has written the "analysis," which I sent by a former conveyance. These works have greatly contributed to excite the fears of the men of talents and property; who now *prefer the chance of maintaining their party by open resistance and final separation,* to an alliance with France, and a war with England. So that should the government unexpectedly and contrary to all reasonable calculation, attempt to involve the country in a measure of that nature, I am convinced (now that the elections have all terminated favourably) that *none of the New England states would be a party in it.*—But, as I have repeatedly written, the general government does not seriously entertain any such desire or intention. Had the majority in the New England states continued to approve of the public measures, it is extremely probable that Great Britain would now have to choose between war and concession. But the aspect of things in this respect is changed; and a war would produce an incurable alienation of the eastern states, and bring the whole country in subordination to the interest of England, *whose navy would prescribe and enforce the terms upon which the commercial states should carry and the agricultural states export their surplus produce.* All this is as well known to the democrats as to the other party. Therefore they will avoid a war, at least until the whole nation is unanimous for it. Still when we consider of what materials the government is formed, it is impossible to speak with any certainty of their measures. The past administration in every transaction presents to the mind only a muddy commixture of folly, weakness, and duplicity. The spell, by which the nations of Europe have been rendered inert and inefficient when they attempted to shake it off, has stretched its shadows across the Atlantic, and *made a majority of the people of these states blind to duty and to their interests.*

I am, &c. A. B.

No. XV.

Boston, April 26, 1809.

Sir—Since my letter No. 14, I have had but little to communicate.

I have not yet been able to ascertain with sufficient accuracy the relative strength of the two parties in the Legislative bodies in New England.

In all of these states, however, governors have been elected out of the federal party; and even the southern papers indicate an unexpected augmentation of federal members in the next congress.

The correspondence between Mr. Erskine and the secretary of state at Washington, you will have seen before this can reach you. It has given much satisfaction to the federal party here; because it promises an exemption from the evil they most feared (a war with England) and justifies their partiality towards Great Britain which they maintain was founded upon a full conviction of her justice and sincere disposition to preserve peace. Even the democrats affect to be satisfied with it; because, as they insist, it proves the efficacy of the restrictive system of Mr. Jefferson.

But the great benefit that will probably result from it, will be, that Bonaparte may be induced to force this country from her neutral position. Baffled in his attempt to exclude from this continent the manufactures of Great Britain, he will most likely confiscate all American property in his dominions and dependencies, and declare war. Nothing could more than this contribute to

give influence and stability to the British party. *The invidious occurrence of the rebellion would be forgotten in the resentment of the people against France;* and they would soon be weaned from that attachment to her which is founded on the aid that was rendered to separate from the mother country.

While Great Britain waits for this natural, I might say necessary result of the negotiation, would it not be extremely inexpedient to conclude a treaty with the American government? Every sort of evidence and experience prove, that the democrats consider their political ascendancy in a great measure dependent upon the hostile spirit that they can keep alive towards Great Britain: and recent events demonstrate that their conduct will be predicated upon that conviction. It is therefore not to be expected that they will meet with corresponding feelings a sincere disposition on the part of England to adjust all matters in dispute. They are at heart mortified and disappointed to find that Great Britain has been in advance of the French government in taking advantage of the provisional clauses of the non-intercourse law. And if they shew any spirit at the next session of Congress towards France, it will be only because they will find Bonaparte deaf to entreaty, and insensible of past favours; or that they may think it safer to float with the tide of public feelings which will set strongly against him, unless he keep pari passu with England in a conciliatory policy.

When I began my letter, I intended to make some observations in relation to the boundary line—[Here 10 or 12 lines of the manuscript are erased.]

I am, &c. A. B.

No. XVI.

Boston, May 6, 1809.

Sir—Although the recent changes that have occurred quiet all apprehensions of war, and consequently lessen *all hope of a separation of the states,* I think it necessary to transmit by the mail of each week a sketch of passing events.

On local politics I have nothing to add; and as the parade that is made in the National Intelligencer of the sincere disposition of Mr. Madison to preserve amicable relations with Great Britain is in my opinion calculated to awaken vigilance and distrust rather than inspire confidence, I shall (having nothing more important to write about) take leave to examine his motives. I am not surprised at his conditional removal of the non-intercourse law with respect to Great Britain, because it was made incumbent on him by the act of congress; but the observations made on his friendly dispositions towards Great Britain are a matter of no little astonishment. The whole tenor of his political life directly and unequivocally contradicts them. His speech on the British treaty in '95—his attempt to pass a law for the confiscation of "British debts" and British property—his commercial resolutions, grounded apparently on an idea of making America useful as a colony to France—his conduct while secretary of state—all form an assemblage of probabilities tending to convince me at least that he does not seriously desire a treaty in which the rights and pretensions of Great Britain would be fairly recognized. It seems impossible that he should at once divest himself of his habitual animosity and that pride of opinion, which his present situation enables him to indulge; but above all, that he should deprive his friends and supporters of the benefit of those prejudices which have been carefully fostered in the minds of the common people towards England, and which have so materially contributed to invigorate and augment the democratic party. Whatever his real motives may be, it is in this stage of the affair harmless enough to enquire into the cause of the apparent change. He probably acts under a conviction, that in the present temper of the eastern states a war could not fail to produce a dissolution of the union; or he may have profited by the mistakes of his predecessor; and is inclined to seize the present opportunity to prove to the world that he is determined to be the president of a nation rather than the head of a faction; or he has probably gone thus far to remove the impression on the mind of many, that he was under the influence of France, in order that he may with a better grace and on more tenable grounds quarrel with Great Britain in the progress of negotiating a treaty. Whatever his motives may be, I am very certain his party will not support him in any manly and generous policy.—Weak men are sure to tem-

porise when great events call upon them for decision; and are sluggish and inert at the moment when the worst of evils is inaction. This is the character of the democrats in the northern states. Of those of the south I know but little.

I am, &c. A. B.

No. XVII.

Boston, May 25, 1809.

Sir—My last was under date of the 5th inst.

The unexpected change which has taken place in the feelings of political men in this country in consequence of Mr. Madison's prompt acceptance of the friendly proposals of Great Britain has caused a temporary suspension of the conflict of parties; and they both regard him with equal wonder and distrust. They all ascribe his conduct to various motives: but none believe him to be in earnest.

The state of New-York has returned to the assembly a majority of federal members. All this proves that an anti-commercial faction cannot rule the commercial states. Two months ago the state of New-York was not ranked among the states that would adopt the policy of that of Massachusetts; and any favourable change was exceedingly problematical.

I beg leave to suggest that in the present state of things in this country my presence can contribute very little to the interest of Great Britain. If Mr. Erskine be sanctioned in all he has conceded, by his majesty's ministers, it is unnecessary for me, as indeed it would be unavailing, to make any attempt to carry into effect the original purposes of my mission. While I think it to be my duty to give this intimation to you, I beg it may be understood that I consider myself entirely at the disposal of his majesty's government. I am, &c.

A. B.

No. XVIII.

Montreal, June 12, 1809.

Sir—I have the honour to inform your excellency that I received, through Mr. secretary Ryland, your excellency's commands to return to Canada; and after the delays incident to this season of the year, in a journey from Boston, arrived here yesterday.

Your excellency will have seen by the papers of the latest dates from the United States, that a formidable opposition is already organized in congress to the late measures of Mr. Madison; and it is very evident that if he be sincere in his professions of attachment to Great Britain, his party will abandon him. Sixty-one members have already voted against a resolution to approve of what he has done; and I have no doubt the rest of the democratic party will follow the example, as soon as they recover from the astonishment into which his apparent defection has thrown them.

The present hopes of the federalists are founded on the probability of a war with France; but, at all events, this party is strong and well organized enough to prevent a war with England. It would now be superfluous to trouble your excellency with an account of the nature and extent of *the arrangements made by the federal party to resist any attempt of the government unfavourable to Great Britain.* They were such as do great credit to their ability and principles; and while a judicious policy is observed by Great Britain, secure her interests in America from decay. My fear of inducing a false security on the part of his majesty's government in their efficiency and eventual success, may have inclined me to refrain from doing them that justice in my former letters, which I willingly express.

I trust your excellency will ascribe the style and manner of my communications and the frequent ambiguities introduced in them, as arising from the secrecy necessary to be observed, and my consciousness that you understood my meaning on the most delicate points without risking a particular explanation.

I lament that no occasion commensurate to my wishes has permitted me to prove how much I value the confidence of your excellency and the approbation already expressed by his majesty's minister. I have the honour to be, &c.

(Signed) JOHN HENRY.

No. XIX.

Mr. Ryland to Mr. J. Henry, 1st May 1809.

My dear sir—The news we have received this day from the United States will, I imagine, soon bring you back to us: and if you arrive at Montreal by the middle of June, I shall probably have the pleasure of meeting you there, as I am going up with sir James and a large suite. The last letters received from you are to the 13th April; the whole are now transcribing for the purpose of being sent home, where *they cannot fail of doing you great credit, and I most sincerely hope they may eventually contribute to your permanent advantage.* It is not necessary to repeat the assurances that no effort within the compass of my power shall be wanting to this end.

I am cruelly out of spirits at the idea of old England truckling to such a debased and accursed government as that of the United States.

I am greatly obliged to you for the trouble you have taken in procuring the books; though if Spain falls, I shall scarcely have heart to look into them. I can add no more now, but that I am most heartily and affectionately yours,

(Signed) H. W. R.

J. Henry, Esq. Boston.

No. XX.

Mr. Ryland to Mr. Henry, dated 4th May, 1809.

My dear sir—You must consider the short letter I wrote you by the last post as altogether unofficial: but I am now to intimate to you in a more formal manner our hope of your speedy return, as the object of your journey seems, for the present at least, to be at an end. We have London news by way of the river up to the 6th of March, which tallies to a day with what we have received by the way of the states. Heartily wishing you a safe and speedy journey back to us,

I am, my dear sir, most sincerely yours,

(Signed) H. W. R.

Have the goodness to bring my books with you, though I shall have little spirit to look into them unless you bring good news from Spain.

No. XXI.

Mr. Henry's Memorial to Lord Liverpool, enclosed in a letter to Mr. Peel, of the 13th June, 1811, with a copy of that letter.

The undersigned most respectfully submits the following statement and memorial to the Earl of Liverpool.

Long before and during the administration of your lordship's predecessor, the undersigned bestowed much personal attention to the state of parties and to the political measures in the United States of America.

[Here is an erasure of about four lines.]

Soon after the affair of the Chesapeake frigate, when his majesty's governor general of British America had reason to believe that the two countries would be involved in a war, and *had submitted to his majesty's ministers the arrangements of the English party in the United States for an efficient resistance to the general government, which would probably terminate in a separation of the northern states from the general confederacy,* he applied to the undersigned to undertake a mission to Boston, *where the whole concerns of the opposition were managed. The object of the mission was to promote and encourage the federal party to resist the measures of the general government; to offer assurances of aid and support from his majesty's government of Canada;* and to open a communication between the leading men engaged in that opposition and the governor general upon such a footing as circumstances might suggest; and finally to render the plans then in contemplation subservient to the views of his majesty's government.*

The undersigned undertook the mission which lasted from the month of January to the month of June inclusive, during which period those public acts and legislative resolutions of the assem-

* Vide the despatches of sir James Craig in June, 1808.

bles of Massachusetts and Connecticut were passed, which kept the general government of the United States in check, and deterred it from carrying into execution the measures of hostility with which Great Britain was menaced.

For his service on the occasion herein recited, and the loss of time and expenses incurred, the undersigned neither sought nor received any compensation; but trusted to the known justice and liberality of his majesty's government for the reward of services which could not, he humbly conceives, be estimated in pounds, shillings and pence. On the patronage and support which was promised in the letter of Sir J. Craig under date of the 23d January, 1809, (wherein he gives an assurance "that the former correspondence and political information transmitted by the undersigned had met with the particular approbation of his majesty's secretary of state, and that his execution of the mission (proposed to be undertaken in that letter) would give him a claim not only on the governor general but on his majesty's ministers") the undersigned has relied, and now most respectfully claims, in whatever mode the Earl of Liverpool may be pleased to adopt.

The undersigned most respectfully takes this occasion to state that Sir J. Craig promised him an employment in Canada worth upwards of one thousand pounds a-year, by his letter, (herewith transmitted) under date of 13th Sept. 1809, which he has just learned, has, in consequence of his absence, been given to another person. The undersigned abstains from commenting on this transaction; and respectfully suggests that the appointment of Judge Advocate General of the province of Lower Canada, with a salary of five hundred pounds a-year, or a consulate in the United States, *sine curie*, would be considered by him a liberal discharge of any obligation that his majesty's government may entertain in relation to his service.

Copy of a Letter to Mr. Peel, enclosing the foregoing.

Sir—I take the liberty of enclosing to you a memorial addressed to the Earl of Liverpool; and beg you will have the goodness either to examine the documents in your office, or those in my own possession, touching the extent and legitimacy of my claims.

Mr. Ryland, the secretary of Sir J. Craig, is now in London; and, from his official knowledge of the transactions and facts alluded to in the memorial, can give any information required on the subject.

I have the honour to be, &c. &c.

(Signed) J. H.

June 13th, 1811.

No. XXII.

Letter of the Rt. Hon. the Earl of Liverpool, by his Secretary R. Peel, Esq. recognizing Mr. Henry's services, &c.

Downing-street, 28th June, 1811.

Sir—I have not failed to lay before the Earl of Liverpool, the memorial, together with its several enclosures, which was delivered to me a few days since, by Gen. Loft, at your desire.

His lordship has directed me to acquaint you, that he has referred to the correspondence in this office, of the year 1808, and finds two letters from sir James Craig, dated 10th April, and 5th May, transmitting the correspondence that has passed during your residence in the northern states of America, and expressing his confidence in your ability and judgment: but Lord Liverpool has not discovered any wish on the part of Sir James Craig, that your claims for compensation should be referred to this country; nor, indeed, is allusion made to any kind of arrangement or agreement that had been made by that officer with you.

Under these circumstances, and had not Sir James Craig determined on his immediate return to England, it would have been Lord Liverpool's wish to have referred your memorial to him, as being better enabled to appreciate the ability and success with which you executed a mission, undertaken at his desire. Lord Liverpool will, however, transmit it to S James Craig's successor in the government, and an assurance, that, from the recommendations, he has received in your favour, and the opinion he has formed on your correspondence

he is convinced that the public service will be benefited by your active employment in a public situation.

Lord Liverpool will also feel himself bound to give the same assurance to the Marquis Wellesley, if there is any probability that it will advance the success of the application which you have made to his lordship.

I am, sir, your most obedient, humble servant,

(Signed) ROBERT PEEL.

John Henry, Esq. 27, Leicester square.

No. XXIII.

Mr. Henry to Mr. Peel, September 24, 1811. No other answer than a despatch to Sir George Prevost, and the letter marked B.

London, 4th September, 1811.

Sir—I have just now learned the ultimate decision of my Lord Wellesley relative to the appointment which I was desirous to obtain; and find that the subsisting relations between the two countries, forbid the creating a new office in the United States, such as I was solicitous to obtain. In this state of things I have not a moment to lose in returning to Canada, and have taken my passage in the last and only ship that sails for Quebec this season. As I have no time to enter *de novo* into explanations with the gentleman who is in your office, and as I have received assurances from you, in addition to the letter of my Lord Liverpool, of the 27th June, that "his lordship would recommend me to the governor of Canada, for the first vacant situation that I would accept," I beg the favour of you to advise me how I am to get that recommendation, without loss of time.

I have the honour to be, &c. &c. J. H.

Robert Peel, Esq. &c. &c. &c.

No. XXIV.

Copy of a letter written by Lord Liverpool, to Sir George Prevost, furnished by the under secretary of state. Original in the despatch to the governor general:

Downing-street, 16*th Sept.* 1811.

Sir—Mr. Henry, who will have the honour of delivering this letter, is the gentleman who addressed to me the memorial, a copy of which I herewith transmit, and to whom the accompanying letter from Mr. Peel was writen by my direction.

In compliance with his request, I now fulfil the assurance which I have given, of stating to you my opinion of the ability and judgment which Mr. Henry has manifested on the occasion mentioned in his memorial; and of the benefit the public service might derive from his active employment in any public situation, in which you should think proper to place him.

I am, sir, your most obedient, humble servant,

(Signed) LIVERPOOL.

To Sir George Prevost, Bart. &c. &c.

No. XXV.

Mr. Ryland to Mr. Henry.

Tuesday evening, July 2d, 1811.

Dear Henry—it gives me real pleasure to find that the apprehension I had formed with respect to the fulfilment of your expectations, is likely to prove erroneous. As every thing which passed relative to your mission was in writing, I think you will do well in submitting to Mr. Peel all the original papers. I, myself, could give no other information relative to the subject than what they contain; as you and I had no opportunity of any verbal communication concerning it, till after your mission terminated. I never wrote you a letter in the governor's name, which had not previously been submitted to his correction.

The impression I had received of your character and abilities made me anxious to serve you, even before I had the pleasure of a personal acquaintance with you: and the same desire has operated on me ever since. I am, therefore, entitled to hope, that any opinion which I may have given you, as to your best mode of obtaining an employment under government, will be received with the same candour that gave rise to it. I think you will do well to persevere as you propose. I have no doubt that every letter from you

which Sir James sent home, will be found in Mr. Peel's office, as the established practice there is to bind the despatches and enclosures yearly up together.

Sincerely wishing you every success, I am most faithfully, yours,

(Signed) H. W. RYLAND.

John Henry, Esq.

No. XXVI.

Mr. Henry's memorial to Lord Liverpool, enclosed in Lord Liverpool's despatch.

To the right honourable the Earl of Liverpool, the undersigned most respectfully submits the following memorial.

Long before and during the administration of your lordship's predecessor, the undersigned bestowed much personal attention to the state of parties and political measures in the United States of America, and had an opportunity* [Here an erasure of 10 or 12 lines] and to unite the [An erasure here of 2 or 3 lines] the information transmitted by the undersigned to Sir James Craig, and by him to Lord Castlereagh, *met with his lordship's approbation*† and when the hostile preparations in the United States suggested to Sir James Craig the necessity of making corresponding arrangements of precaution and defence, for the security of his majesty's colonies, he applied to the undersigned to undertake a secret and confidential mission to the northern states to the party already mentioned; *to direct their operations*, and transmit regular information of the same, and *to endeavour to render their plans subservient to the interests of Great Britain*.‡ The undersigned readily undertook the mission, and spent five months in the active and zealous discharge of the duties connected with it [An erasure here of 20 or 25 lines§] which deterred the general government from the purpose already mentioned, and from a coalition with France,‖ while the information which he transmitted to Sir James Craig, probably saved the trouble and expense of arming the Canadian militia. All this, the undersigned performed without ever showing his commission or appearing as an authorized agent—from a thorough conviction that a discovery of his mission would furnish the French party with the means of destroying the influence of the party adhering to Great Britain in every quarter of America, and enable the general government to go to war upon popular and tenable ground.

In the application of Sir James Craig to the undersigned to undertake the mission aforesaid, he says "*the information and political observations received from you heretofore were all transmitted to the secretary of state, who has expressed his particular approbation of them: and there is no doubt that your able execution of such a mission as I have above suggested, would give you a claim not only on the governor-general* (of British America,) *but on his majesty's ministers,*" *&c.*¶

The undersigned being now in England on his private affairs, and on the eve of departure for America, most humbly and respectfully submits his claims, under the stipulations aforesaid, to the earl of Liverpool, in the confident expectation that his lordship will treat them with that justice, and liberality, which upon investigation they may be found to merit.

It may not be superfluous to add, that the undersigned has never received in any shape whatever any compensation or patronage for the services he has rendered. This fact, Mr. Ryland, the secretary of Sir James Craig, now in London, can vouch; as well as for the truth of all the matters set forth in this memorial.

I have the honour, &c.

(Signed) J. HENRY.

27 Leicester-square, June 23, 1811.

* See the letter of Mr. Henry addressed to the secretary of Sir James Craig, and by him transmitted to Lord in the month of April, 1808.

† See document No. 22, herewith submitted.

‡ See document No. 22 and 23, herewith submitted.

§ See letter No. 1. of the series transmitted by Sir J. Craig, to the colonial department, under date February 14, 1809.

‖ See the remainder of the aforesaid letter.

¶ See document No. 1, herewith submitted.

CHAPTER XXVIII.

Embargo repealed. British and French vessels interdicted from entering our harbours. Importations from both countries prohibited. Invitation held out to both to cease their outrages on our commerce.

The clamour excited against the embargo—the tumultuous proceedings in the eastern states—its inefficacy to answer the purpose intended, arising partly from the factious, and disorganising, and jacobinical opposition it met with, and partly from the imbecility of Mr. Jefferson's administration, in not duly enforcing it, as I have already stated*—all combined to produce its repeal, which took place on the 1st of March, 1809.

As a pacific measure, in lieu of the embargo, to induce the belligerents to respect our rights, and to cease depredating on us, under pretence of retaliation upon each other, the act commonly styled the non-intercourse act, was passed, of which I annex those sections, which contain its leading features.

An Act to interdict the Commercial Intercourse between the United States and Great Britain and France, and their dependencies; and for other purposes.

Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That from and after the passage of this act, the entrance of the harbours and waters of the United States and of the territories thereof, be, and the same *is hereby interdicted to all public ships and vessels belonging to Great Britain or France,* excepting vessels only which may be forced in by distress, or which are charged with despatches or business from the government to which they belong, and also packets having no cargo or merchandise on board. And if any public ship or vessel as aforesaid, not being included in the exception above mentioned, shall enter any harbour or waters within the jurisdiction of the United States, or of the territories thereof, it shall be lawful for the president of the United States, or such other person as he shall have empowered for that purpose, to employ such part of the land and naval forces, or of the militia of the United States, or the territories thereof, as he shall deem necessary, *to compel such ship or vessel to depart.*

Sec. 3. *And be it further enacted,* That from and after the twentieth day of May next, the entrance of the harbours and waters of the United States, and the territories thereof be, and *the same is hereby interdicted to all ships or vessels sailing under the flag of Great Britain or France, or owned in whole or in part by any citizen or subject of either;* vessels hired, chartered or employed by the government of either country, for the sole purpose of carrying letters or despatches, and also vessels forced in by distress or by the dangers of the sea, only excepted.—*And if any ship or vessel sailing under the flag of Great Britain or France, or owned in whole or in part by any citizen or subject of either, and not excepted as aforesaid, shall, after the twentieth day of May next, arrive either* with or without a cargo, *within the limits of the United States, or of the territories thereof, such ship or vessel, together with the cargo, if any, which may be found on board, shall be forfeited,* and may be seized and condemned in any court of the United States or the territories thereof, having competent ju-

* See page 50.

risdiction:—and all and every act and acts heretofore passed, which shall be within the purview of this act, shall be, and the same are hereby repealed.

Sec. 4. *And be it further enacted*, That from and after the twentieth day of May next, it shall not be lawful to import into the United States or the territories thereof, *any goods, wares, or merchandise whatever, from any port or place situated in Great Britain or Ireland*, or from any of the colonies or dependencies of Great Britain; nor from any port or place situated in France, or in any of her colonies or dependencies, nor from any port or place in the actual possession of either Great Britain or France. Nor shall it be lawful to import into the United States or the territories thereof, from any foreign port or place whatever, any goods, wares, or merchandize whatever, being of the growth, produce, or manufacture of France, or of any of her colonies or dependencies, or being of the growth, produce, or manufacture of Great Britain or Ireland, or of any of the colonies or dependencies of Great Britain, or being of the growth, produce or manufacture of any place or country in the actual possession of either France or Great Britain: *provided*, that nothing herein contained shall be construed to affect the cargoes of ships or vessels wholly owned by a citizen or citizens of the United States, which had cleared for any port beyond the Cape of Good Hope, prior to the twenty second day of December, one thousand eight hundred and seven, or which had departed for such port by permission of the president, under the acts supplementary to the act laying an embargo on all ships and vessels in the ports and harbours of the United States.

Sec. 11. *And be it further enacted*, That the president of the United States be, and he hereby is authorised, *in case either France or Great Britain shall so revoke or modify her edicts, as that they shall cease to violate the neutral commerce of the United States, to declare the same by proclamation; after which the trade of the United States, suspended by this act, and by the act laying an embargo on all ships and vessels in the ports and harbours of the United States*, and the several acts supplementary thereto, may be renewed with the nation so doing; *provided*, that all penalties and forfeitures which shall have been previously incurred, by virtue of this or of any other act, the operation of which shall so cease and determine, shall be recovered and distributed, in like manner as if the same had continued in full force and virtue: and vessels bound thereafter to any foreign port or place, with which commercial intercourse shall by virtue of this section be again permitted, shall give bond to the United States, with approved security, in double the value of the vessel and cargo, that they shall not proceed to any foreign port, nor trade with any country other than those with which commercial intercourse shall have been or may be permitted by this act. *Enacted March* 1, 1809.

I have already stated, that this law, was preposterously and absurdly denounced, as feeble and imbecile, by ninety-nine out of every hundred democrats, in the United States. An impartial review of it will prove the folly of this denunciation. It evinces a deep sense of the grievous injuries the nation had sustained from the belligerents—a sincere wish to return to the relations of peace and friendship with either or both—and an ardent desire to try every rational mode of procuring redress previous to a recourse to the horrors of war.

It held out in one hand prohibition and penalty for wrongs inflicted—in the other "the Olive Branch"—an invitation to, and premium for, a mere return to justice—a mere cessation of unprovoked hostility. The statute books of all the

nations of Christendom may be searched in vain, for a law entitled to more unequivocal applause—and rarely has a law been more generally censured.

The federalists reprobated this act as well as the democrats—and with equal folly and madness—but on totally different grounds. They regarded it, forsooth, as too violent a measure—as calculated to produce war—or, in fact, absurdly enough, as a species of warfare!

"Sir, the bill before you is *war*. It is to suspend *all intercourse*, to put an end to all the *relations of amity*. WHAT IS THAT *but war? War* of the worst kind—*war* under the *disguise* of NON-INTERCOURSE—no power, having national feelings, or regard to national character, will SUBMIT *to such* COERCION."*

"It [non-intercourse] is cowardly; *for it is a base attempt to bring on a war with Great Britain.*—It is FRENCH *in every feature. It is intended as a measure of hostility against Great Britain.*"†

CHAPTER XXIX.‡

Embargo once more. Recommended to Congress by a respectable body of merchants in New-York.

THIS shall be a short chapter. Three minutes will be sufficient to glance over it. I hope, however, it will not be the least interesting in the book.

The embargo, we have seen, was enacted in December 1807, to preserve the property of the American merchants from depredation under French decrees and British orders in council—and likewise to coerce the belligerents, through regard to their own interests, to cease violating our rights.

The merchants, and their friends universally, throughout the nation, reprobated this measure. Independent of its pretended unconstitutionality, it was denounced as tyrannical, and oppressive, and unjust towards our own citizens—and feeble, and imbecile, and inefficient towards those nations whose insults and outrages it was intended to prevent.

That these sentiments pervaded the mercantile part of the community in 1807–8, I presume no man of character will dare deny.

Consistency is commendable. Let us enquire how far the merchants practised it. On the 15th of June, 1812, a memorial was presented to Congress, from various merchants in New-York, praying for a continuance of the embargo, and the restrictive system generally!

You are amazed, reader. You can hardly believe me.

* Mr. Hillhouse's speech on the non-intercourse bill before the senate, February 22, 1809.

† Boston Repertory.

‡ This Chapter is out of its chronological order—but its immediate connexion with the subject of the preceding chapter has induced me to place it here.

You are persuaded that I am not serious—that I am putting your credulity to a severe trial.

You are "all in the wrong." I am as perfectly serious as I have ever been. And to remove all doubt on the subject, here is the memorial—and here also the signers—forty-two federalists and sixteen democrats. Yes—deny it, who can. Here are forty-two federal merchants, invoking congress to continue the much abused "*restrictive system*," as likely to extort justice from Great Britain.

MEMORIAL.

To the honourable the Senate and House of Representatives of the United States of America in Congress assembled, the memorial of the subscribers, merchants and others, inhabitants of the city of New-York, respectfully sheweth:

That your memorialists feel, in common with the rest of their fellow-citizens, an anxious solicitude for the honour and interests of their country, and an equal determination to assert and maintain them.

That your memorialists believe that A CONTINUATION OF THE RESTRICTIVE MEASURES NOW IN OPERATION, WILL PRODUCE ALL THE BENEFITS, WHILE IT PREVENTS THE CALAMITIES OF WAR. That when the British ministry become convinced that a trade with the United States cannot be renewed, but by the repeal of the orders in council, *the distress of their merchants and manufacturers, and their inability to support their armies in Spain and Portugal, will probably compel them to that measure!*

Your memorialists beg leave to remark, that *such effects are even now visible;* and it may be reasonably hoped, that a continuance of the embargo and non-importation laws a few months beyond the fourth day of July next, ☞ WILL EFFECT A COMPLETE AND BLOODLESS TRIUMPH OF OUR RIGHTS.

Your memorialists therefore *respectfully solicit of your honourable body, the passage of a law continuing the embargo,* and giving to the president of the United States power to discontinue the whole of the restrictive system on the rescinding of the British orders in council.

The conduct of France in burning our ships, in sequestrating our property entering her ports, expecting protection in consequence of the promised repeal of the Berlin and Milan decrees, and the delay in completing a treaty with the American minister, has excited great sensation: and we hope and trust will call forth from your honourable body such retaliatory measures as may be best calculated to procure justice.

John Jacob Astor	John T. Lawrence	Amasa Jackson
Samuel Adams	Joseph W. Totten	William J. Robinson
Howland & Grinnel	Isaac Schermerhorn	Joseph Strong
E. Slosson	Alexander Ruden	Abraham S. Hallot
Israel Gibbs	Joseph Otis	Joshua Jones
Isaac Clason	Lewis Hartman	Frederic Giraud, jr.
John Slidell	Garret Storm	Robert Roberts
John K. Townsend	George Bement	John Crookes
Andrew Ogden & Co.	S. A. Rich	Hugh M'Cormick
Thomas Storm	Abraham Smith	John Depeyster
Amos Butler	Thomas H. Smith, jr.	Gilbert Haight
Ebenezer Burrill	Andrew Foster	James Lovett
Isaac Heyer	Jacob Barker	Leffert Lefferts
Ralph Bulkley	William Lovett	Augustus Wynkoop
Samuel Bell	William Edgar, jun.	John W. Gale
John F. Delaplaine	Samuel Stillwell	Thomas Rich

Peter Stagg	Jacob P. Giraud	Samuel Marshall
David Taylor	John Hone	Elbert Herring.
William Adee	John Kane	

New-York, June 1st, 1812.

A member of congress, Mr. Taylor, stated that he was informed there were on that list the names of two presidents of banks, three presidents of insurance companies, thirteen directors of banks, besides other names of "*pre-eminent standing in the commercial world.*" Ponder, I beseech you, reader, on these things. They demand the most sober and serious consideration. The embargo and restrictive system generally, after having been defeated and rendered nugatory by mercantile opposition, are now, by the merchants themselves, proclaimed to the world as likely to effect "*the bloodless triumph of our rights!*" What a severe satire on themselves—what a panegyric on their opponents—this short sentence contains!

CHAPTER XXX.

The Erskine arrangement. A most liberal and magnanimous procedure, probably never exceeded. Loudly applauded by all parties. Rejected by England. Then censured by the federalists. Wonderful inconsistency.

Never was there a measure of more fairness and candour, than the arrangement made by our government with Mr. Erskine. The annals of diplomacy may be ransacked in vain to produce a negociation more deserving of encomium, or more honourable to both parties. In forty-four days after Mr. Madison's inauguration, Mr. Erskine made candid overtures to our government for an accommodation of the existing differences between the two nations. They were met with a proper spirit of frankness, and with a promptitude never exceeded. The overtures were dated the 17th of April—the reply the same day—Mr. Erskine's second letter, and the reply of the secretary of state, on the 18th. And, both parties being sincerely desirous of a reconciliation, an equitable arrangement was adjusted in two days, that is to say, on the 19th, whereby neither the honour nor the interest of either nation was compromited. Friendly intercourse between them was once more restored. Never was a negociation conducted on more liberal or generous principles. It was manly and magnanimous—and affords one of the very few instances in which diplomacy was divested of her usual attendants, chicane and fraud.

To enable the reader to form a correct opinion on this subject, I annex the whole of the correspondence that took

place respecting it, between our government and the British minister. It will then appear that the transaction can hardly be too highly eulogized.

(No. I.)

MR. ERSKINE TO MR. SMITH.

Washington, 17th April, 1809.

"Sir—I have the honour to inform you, that I have received his majesty's commands to represent to the government of the United States, that his majesty is animated by the most sincere desire for an adjustment of the differences, which have unhappily so long prevailed between the two countries, the recapitulation of which might have a tendency to impede, if not prevent an amicable understanding.

"It having been represented to his majesty's government, that the congress of the United States, in their proceedings at the opening of the last session, had evinced an intention of passing certain laws, which would place the relations of Great Britain with the United States upon an equal footing, in all respects, with other belligerent powers, I have accordingly received his majesty's commands, in the event of such laws taking place, to offer, on the part of his majesty, an honourable reparation for the aggression, committed by a British naval officer, in the attack on the United States' frigate Chesapeake.

"Considering the act, passed by the congress of the United States on the first of March, (usually termed the non-intercourse act) as having produced a state of equality, in the relations of the two belligerent powers, with respect to the United States, I have to submit, conformably to instructions, for the consideration of the American government such terms of satisfaction and reparation, as, his majesty is induced to believe, will be accepted, in the same spirit of conciliation, with which they are proposed.

"In addition to the prompt disavowal made by his majesty, on being apprized of the unauthorized act committed by his naval officer, whose recall, as a mark of the king's displeasure, from an highly important and honourable command, immediately ensued, his majesty is willing to restore the men forcibly taken out of the Chesapeake, and, if acceptable to the American government, to make a suitable provision for the unfortunate sufferers on that occasion.

"I have the honour to be, with sentiments of the highest respect and consideration, sir, your most obedient humble servant,

"D. M. ERSKINE."

The hon. Robert Smith, esq. secretary of state, &c.

(No. II.)

MR. SMITH TO MR. ERSKINE.

Department of State, April 17, 1809.

"Sir—I have laid before the president your note in which you have, in the name and by the order of his Britannic majesty, declared that his Britannic majesty is desirous of making an honourable reparation for the aggression committed by a British naval officer in the attack on the United States' frigate the Chesapeake; that, in addition to his prompt disavowal of the act, his majesty, as a mark of his displeasure, did immediately recall the offending officer from a highly important and honourable command; and that he is willing to restore the men forcibly taken out of the Chesapeake; and, if acceptable to the American government, to make a suitable provision for the unfortunate sufferers on that occasion.

"The government of the United States having, at all times, entertained a sincere desire for an adjustment of the differences, which have so long and so unhappily subsisted between the two countries, the president cannot but receive with pleasure, assurances, that his Britannic majesty is animated by the same disposition; and that he is ready, in conformity to this dis

position, to make atonement for the insult and aggression committed by one of his naval officers in the attack on the United States' frigate, the Chesapeake.

"As it appears, at the same time, that, in making this offer, his Britannic majesty derives a motive from the equality, now existing in the relations of the United States, with the two belligerent powers, the president owes it to the occasion, and to himself, to let it be understood, that this equality is a result incident to a state of things, growing out of distinct considerations.

"With this explanation, as requisite as it is frank, I am authorized to inform you, that the president accepts of the note delivered by you, in the name and by the order of his Britannic majesty; and will consider the same, with the engagement contained therein, when fulfilled, as a satisfaction for the insult and injury of which he has complained. But I have it in express charge from the president, to state, that while he forbears to insist on a further punishment of the offending officer, he is not the less sensible of the justice and utility of such an example, nor the less persuaded that it would best comport with what is due from his Britannic majesty to his own honour.

"I have the honour to be, with the highest respect and consideration, sir, your most obedient servant,

"R. SMITH."

The hon. David M. Erskine, esq. envoy extraordinary and minister plenipotentiary of his Britannic majesty.

(No. III.)

MR. ERSKINE TO MR. SMITH.

Washington, April 18, 1809.

"Sir—I have the honour of informing you, that his majesty, having been persuaded that the honourable reparation which he had caused to be tendered for the unauthorized attack upon the American frigate Chesapeake, would be accepted by the government of the United States in the same spirit of conciliation, with which it was proposed, has instructed me to express his satisfaction, should such a happy termination of that affair take place—not only as having removed a painful cause of difference, but as affording a fair prospect of a complete and cordial understanding being re-established between the two countries.

"The favourable change in the relations of his majesty with the United States, which has been produced by the act (usually termed the non-intercourse act) passed in the last session of congress, was also anticipated by his majesty; and has encouraged a further hope, that the re-consideration of the existing differences might lead to their satisfactory adjustment.

"On these grounds and expectations, I am instructed to communicate to the American government, his majesty's determination of sending to the United States an envoy extraordinary, invested with full powers to conclude a treaty on all the points of the relations between the two countries.

"In the mean time, with a view to contribute to the attainment of so desirable an object; his majesty would be willing to withdraw his orders in council of January and November, 1807, so far as respects the United States, in the persuasion that the president of the United States would issue a proclamation for the renewal of the intercourse with Great Britain; and that whatever difference of opinion should arise in the interpretation of the terms of such an agreement will be removed in the proposed negotiation.

"I have the honour to be, with sentiments of the highest consideration and esteem, sir, your most obedient humble servant,

D. M. ERSKINE.

Honourable Robert Smith, &c. &c. &c.

(No. IV.)

MR. SMITH TO MR. ERSKINE.

Department of State, April 19, 1809.

"Sir—The note which I had the honour of receiving from you this day, I lost no time in laying before the president, who being sincerely desirous of a satisfactory adjustment of the differences unhappily existing between Great Britain and the United States, has authorized me to assure you, that he will meet, with a disposition correspondent with that of his Britannic majesty, the determination of his majesty to send to the United States a special envoy, invested with full powers to conclude a treaty on all the points of the relations between the two countries.

"I am further authorized to assure you, that in case his Britannic majesty should, in the mean time, withdraw his orders in council of January and November, 1807, so far as respects the United States, the president will not fail to issue a proclamation by virtue of the authority, and for the purposes specified, in the eleventh section of the statute, commonly called the non-intercourse act. I have the honour," &c. &c.

R. SMITH.

(No. V.)

MR. ERSKINE TO MR. SMITH.

Washington, April 19, 1809.

"Sir—In consequence of the acceptance, by the president, as stated in your letter dated the 18th inst. of the proposals made by me on the part of his majesty, in my letter of the same day, for the renewal of the intercourse between the respective countries, I am authorized to declare, that his majesty's orders in council of January and November, 1807, will have been withdrawn as respects the United States, on the 10th day of June next. I have the honour to be," &c. &c.

D. M. ERSKINE.

Honourable Robert Smith, &c. &c.

(No. VI.)

MR. SMITH TO MR. ERSKINE.

Department of State, April 19, 1809.

"Sir—Having laid before the president your note of this day, containing an assurance, that his Britannic majesty will, on the tenth day of June next, have withdrawn his orders in council of January and November, 1807, so far as respects the United States, I have the honour of informing you, that the president will accordingly, and in pursuance of the eleventh section of the statute, commonly called the non-intercourse act, issue a proclamation, so that the trade of the United States with Great Britain may on the same day be renewed, in the manner provided in the said section. I have the honour," &c. &c.

R. SMITH.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

"Whereas it is provided by the eleventh section of the act of Congress, entitled, "An act to interdict the commercial intercourse between the United States and Great Britain and France, and their dependencies; and for other purposes,"—that "in case either France or Great Britain shall so revoke or modify her edicts as that they shall cease to violate the neutral commerce of the United States," the president is authorized to declare the same by proclamation; after which the trade suspended by the said act, and by an act laying an embargo on all ships and vessels in the ports and harbours of the United States, and the several acts supplementary thereto, may be renewed with the nation so doing. And whereas the honourable David Montague Erskine, his Britannic majesty's envoy extraordinary and minister plenipotentiary, has, by the order and in the name of his sovereign, declared to this government, that the British orders in council of January

and November, 1807, will have been withdrawn as respects the United States, on the tenth day of June next. Now, therefore, I, JAMES MADISON, President of the United States, do hereby proclaim, that the orders in council aforesaid will have been withdrawn on the said tenth day of June next; after which day the trade of the United States with Great Britain, as suspended by the act of congress above mentioned, and an act laying an embargo on all ships and vessels in the ports and harbours of the United States, and the several acts supplementary thereto, may be renewed.

"Given under my hand and the seal of the United States, at Washton, the nineteeth day of April, in the year of our Lord one
P. S. thousand eight hundred and nine, and of the Independence of the United States, the thirty-third."

JAMES MADISON.

By the Presidant,
RT. SMITH, *Secretary of State.*

Never was a measure more loudly or unanimously applauded. Parties agreed in their encomiums on the act and the actors, who never before or since accorded on any subject. The federalists cannot have forgotten—if they have, history will not forget—that they repeatedly asserted, in the most confident terms, that England had been at all times ready to do us justice;—that it had been in the power of Mr. Jefferson, at any period of his administration, to have procured equally fair and honourable terms; and that nothing but his profligate devotion to France, and his deadly hostility to England, had prevented an equitable adjustment of all our differences. Mr. Madison was hailed as a truly American president. He was invited to federal entertainments—claimed as a federalist and a Washingtonian—and halcyon days of peace and plenty were augured under his administration, which was indubitably to usher in a political millenium. This farce was carried on so far by the federalists, that the democrats began to grow jealous. They were afraid of losing the president, whose election they had taken such pains to secure.

In an evil hour for the United States and Great Britain, this honourable arrangement was fatuitously and dishonourably rejected by the British ministry—and thus the two countries were once more involved in the most vexatious discussions.

So far as respects the administration of Mr. Madison, this affair affords the most indubitable evidence of the utter falsehood of the charge of French influence, with which the wide welkin has rung, and which has been, and is, as firmly believed by hundreds of thousands of our citizens, as any portion of "holy writ." Had there been the slightest particle of that noxious influence in our cabinet, it could not have failed to prevent such a rapid movement as healing the long-enduring and cankered breaches between the two countries in two days.

Never in the annals of mankind, did a rooted, inveterate, and contemptible prejudice exist, so completely, so unanswerably borne down by a strong and irrefutable fact, as in this case is the accusation of French influence: and yet no more attention has been paid to the strong and irresistible fact, than if it had not the slightest bearing whatever on the subject. Throughout the whole of Mr. Madison's administration, this senseless, this absurd, this jacobinical cry of French influence has disturbed the harmony of the country—endangered its peace—and produced the most magical effects, on "the most enlightened nation in the world."

In every age, and every nation there is some slang prevalent, by which the people are besotted, bereft of their reason, and led "to play such pranks before high heaven, as make e'en angels weep." Who is ignorant of the magical effects in Great Britain of the cry, "the church is in danger," whereby the severities and restrictions under which the protestant dissenters groaned for about one hundred and fifty years, were firmly riveted on them. The cry of "*French influence*" in the United States has been so often reiterated, and so far believed, that it appears to thousands of our citizens both impertinent and absurd to doubt its existence. But there never has been the shadow of proof of its existence alledged. And I feel perfectly confident, that there are thousands of Englishmen in various parts of the United States, particularly in our sea-ports, any one of whom takes a more active part in our politics, and has more influence on our affairs, than any twenty Frenchmen. Talleyrand's observation on this subject is perfectly just. "In every part of America through which I have travelled, I have not found a single Englishman, who did not feel himself to be an American; nor a single Frenchman who did not find himself a stranger."*

There are Frenchmen in New-York, Philadelphia, and Baltimore, who have been naturalized ten, twenty, and even thirty years, who do not interfere so much in our politics as English, Scotch, and Irishmen frequently do within the first month after their arrival. I have never, in thirty years, known three Frenchmen in Philadelphia who took an active part in our politics. Many of them rarely exercise the elective franchise.

This is a digression. Let us return to the Erskine arrangement.

The conduct of the federalists respecting this celebrated instrument, was to the last degree inconsistent and indefensible—

They were, after it was agreed upon, as I have stated,

* Memoir on the Commercial Relations of the United States with England, page 18.

unanimous and loud in their applause of England, for her magnanimity in offering, and of Mr. Madison, for his patriotism and public spirit in accepting, the terms proposed by Mr. Erskine. The force of the language was exhausted, in panegyrical strains. All the praises of Mr. Madison were accompanied by direct or insinuated abuse of his predecessor. The two presidents appeared like the two ends of a scale-beam. In proportion as one rose, the other sunk. Mr. Madison was raised among the celestials—Mr. Jefferson sunk among the infernals. There was hardly one of the party from New-Hampshire to Georgia, who did not assert, that had Mr. Jefferson been disposed, he might have made an arrangement on as favourable terms at any time during his administration—for England had been at all times equally disposed to do us justice.

But when England rejected this arrangement—when she gave the lie direct to all their assoverations of her willingness to adjust the differences between the two countries, on fair and honourable principles—they still defended her. They assailed, and abused, and vilified, and degraded their own government. And Mr. Madison, who had been placed among the stars of heaven, sunk down at once below the horizon into pitchy darkness, with his predecessor. And for what? Had he committed any crime to warrant this change of opinion? No. Had he altered the system of conduct which had been so highly extolled? No. Had he broken his faith with England? No. Had he failed of his duty to his country? No. His only crime was, that *England broke the faith her minister had so solemnly pledged to him, and to that cruelly injured and outraged country!!!!!!* Alas! alas! poor human nature!

To establish fully what I have asserted, I annex extracts from the federal papers and speeches, published before and after the fatal, the monstrous, the absurd rejection of this arrangement.

"We owe it to Mr. Madison and his cabinet to say, and we do it with pride and pleasure, that they have come forward with a degree of promptitude and manliness which *reflects much honour on them and the country.* Mr. Madison has now done ☞ *what Mr. Jefferson was requested by the British government to do in the note appended to the treaty returned by him.* Mr. Madison is now effectually resisting the French decrees, by a total non-intercourse with that country; and this country will thank him for it to the latest generation." United States' Gazette, April 24, 1809.

"☞ *The candour, liberality, and sincerity displayed in those documents, are alike honourable to the two governments.*" Poulson's American Daily Advertiser, April 22, 1809.

"The non-intercourse, with France, which congress threatened Nov. 22, 1808, and really enacted March 1st, 1809, to take place on 20th May next—this measure against France produced what no measure against England alone could obtain. *England was to be won with signs of justice and impartiality: and yielded to these considerations what she would not yield either to threats or force.*" Boston Repertory, May 9, 1809.

"Nothing here said is designed to reflect on Mr. Madison as the president of the United States. ☞ IN THE FIRST ACT IN WHICH HE HAS BEEN CALLED UPON, HE HAS BEHAVED WITH WISDOM. *May he go on so.* Mr. Madison thus far has in fact acted ministerially; that is, pursuant to an act of congress, or the generally expressed voice of his countrymen." Idem.

"We shall not stop to enquire whether the spirited and vigorous measures of New England—their determined public declarations that they would not submit to an unnecessary and destructive war, has induced the administration to listen to ☞ *the same terms which Great Britain has always been ready to offer, and to which we have uniformly contended she was sincerely disposed.*" Boston Gazette, April 1809.

"That Mr. Madison does not wish to embroil us with England, we are now thoroughly convinced: *while he continues to pursue an honest and impartial policy,* where he makes one enemy, he will gain a dozen friends." Baltimore Federal Republican, as quoted by the Philadelphia Gazette, June 23, 1809.

"Scarcely was Mr. Madison seated in the chair of state, when, contrary to all our expectations, but agreeably to all our wishes *he gave the lie to all his electioneering advocates;* abandoned practically and in the face of the world the policy and course of the sage; and concluded with Mr. Erskine an agreement, which, ☞ *knocking the ignominious hand-cuffs from our hands,* ☞ *unmooring our ships,* ☞ *rejoicing our hearts, and* ☞ *elevating our hopes,* drew from the union (the jacobins excepted) an unfeigned burst of heart-cheering applause. ☞ *Never statesman did an act more popular or more conducive to the true and permanent interest of his country.* Philadelphia Gazette, June 23, 1809.

"The public documents which we this day have the satisfaction of laying before our readers are of a highly pleasing and interesting character. The note of Mr. Erskine furnishes satisfactory evidence of a real disposition on the part of his government to adjust, on permanent principles, the long subsisting differences with this country: and Mr. Smith's answer to that note evinces a candour and promptitude equally honourable to the views and wishes of the American administration. *While both parties are governed by this spirit of confidence in the assurances of each other,* we can foresee no possible circumstance to impede their arriving at a full, liberal, and advantageous accommodation." Philadelphia Gazette, June 19, 1809.

"We sincerely trust that an enlightened administration will continue by its measures of prudence, economy, and wisdom, to increase the mortification and rage of men, *alien* to the true interests and honour of our country. Ibid.

On the 2d of May, 1809, Mr. Randolph moved in the house of representatives of the United States, the following resolution—

"*Resolved,* That the promptitude and frankness with which the President of the United States has met the overtures of the government of Great Britain towards a restoration of harmony and free commercial intercourse between the two nations, meet the approbation of this house."

This occasioned a long debate, in which the federalists were universally in favour of the motion. Mr. Barent Gardenier was among the most ardent eulogists of Mr. Madison. There appeared to be no bounds to his applause.

"This tree from which we expected to gather only the fruit of bitterness and sorrow, is already yielding us fruit far different—gladness and unspeakable joy. To speak in the language of the resolution, ☞ '*the promptitude and frankness with which the president has met the overtures of Great Britain,*' while they receive the applause and the gratitude of the nation, call not less imperiously for an unequivocal expression of them by this house.

"I must say that I do like the words '*promptitude and frankness.*' The compliment they convey is highly merited, as I shall endeavour to prove.

"For bringing about this state of things, ☞ *I yield my hearty approbation to the president of the United States;* and I believe that when none of us could see the end of our troubles, the president was secretly conducting us to the late happy results.

"But at last *that state of things,* ORIGINALLY PROPOSED BY GREAT BRITAIN, has been brought about, both as it regards the equality contended for,

and as regards the assurance of resistance desired.—The proclamation being removed, a fair adjustment could meet with no impediment from that cause. ☞ *And it is a melancholy fact, in this respect there never would have been an impediment,* ☞ *if* THIS *government had been willing to do originally what it has at last consented to do.*

"It is for the *promptitude and frankness* with which the president met this overture, that I thank him most cordially in behalf of my country. I approve it most heartily.

"And it is now in proof before us, as I have always said and contended, that ☞ NOTHING *was wanting but a proper spirit of conciliation—nothing but fair and honourable dealing on the part of* THIS *country, to bring to a happy issue all the fictitious differen[illegible] between this country and Great Britain;* and that is now acknowled[illegible] true, for saying which, I have been so much censured—cens[illegible] it suited the purposes of some people, to attribute to me a c[illegible] justice of the British government, which did not become a[illegible] tizen.

"The president very [illegible]ying on the assurances of the British minister, that the edicts o[illegible] Great Britain *would have been withdrawn,* on or before the 20th of June then next, authorised a renewal of intercourse after that day."

The governor of Massachusetts, in his speech to the legislature, unites his praises with those of Mr. Gardenier—

"We have great reason to indulge the hope of realizing those views [arising from a revival of commerce] from the prompt and amicable disposition, with which it is understood the *present* federal administration met the conciliatory overtures of Great Britain—☞ *a disposition which is entitled to, and will certainly receive the hearty approbation of every one who sincerely loves the peace and prosperity of the nation.*"

The senate and house of representatives re-echo the encomiastic strain:

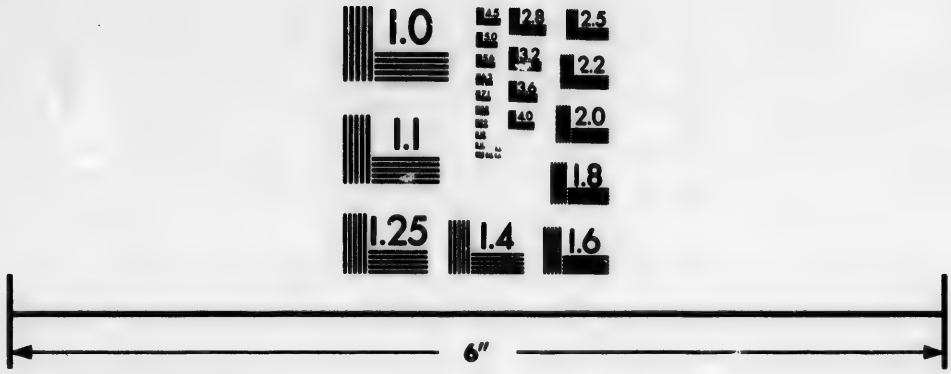
"The present administration of the general government has ☞ *had the wisdom to discern, and patriotism to commence,* a course of policy respecting our commerce and foreign relations, which is calculated to promote the prosperity, and to secure the peace and independence of our country."

"The prompt acceptance by the federal administration of the conciliatory overtures of Great Britain, which opened the door for the removal of those grievous embarrassments by which the industry and enterprise of our citizens have so long been paralized, ☞ *meets the approbation and will ensure the support of this commonwealth.*"

Messrs. Wagner and Hanson chimed in with the general strain of approbation, which was carried to the utmost extent, in order, by the contrast, to blacken the character of the former administration.

"Sophistry is busily at work in the democratic papers to shew that the accommodation with England is the result of democratic plans——that is to say, of the embargo and non-intercourse law. If this could be made to appear, it would so far absolve their authors from the ruin and sufferings imposed by those laws, as to prove that they had some effect. But the common sense of the people is proof against the delusion; who are persuaded that what was so easily effected in April last, might have been done long before, and the nation been thereby saved from the humiliation of retiring from the exercise of its rights upon the ocean, as well as the immense loss it has suffered, and continues to sustain in the decay and depreciation of its produce. Every reflecting mind feels this at once; nor does it require any circuitous argument to be convinced, that *a persevering and ardent opposition to these democratic juggles, and not a voluntary abandonment of them, broke the embargo, and placed France and Great Britain upon that equal footing, which* the LATTER UNIFORMLY DECLARED WOULD INDUCE HER TO COMPROMISE.

IMAGE EVALUATION
TEST TARGET (MT-3)



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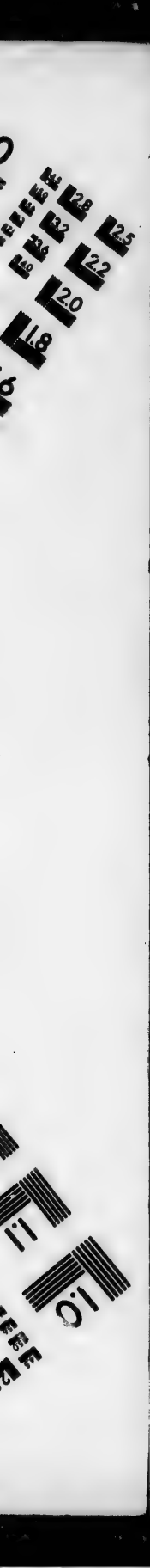
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"Sincere and general as has been the joy spread by the return of a good understanding with England, will be the indignation, which at no distant day, a calm review of *the snares which have been laid to entrap our peace, and extinguish our prosperity, will unavoidably inspire.* The current of the disapprobation of this conspiracy is not at a stand. It has much greater progress to make: nor will it stop until it places an insuperable bar against even the aspiring party which, till lately, has lorded it without opposition over the state of Maryland."*

I shall add to these extracts the sentiments of Mr. Coleman, editor of the New-York Evening Post, which are as strong and decisive as any of the others.

"Look at the files of this paper for a twelvemonth. You will find it insisted upon that ☞ *Great Britain wished for an adjustment of differences, and would come to an accommodation the moment we gave her a chance to do so, by placing her on an equal footing with France.*—Mr. Erskine very promptly begins, by stating on our government's placing England on a footing with France, England will make reparation—☞ JUST PRECISELY WHAT I HAVE SAID A HUNDRED TIMES OVER IN THIS PAPER, SHE WOULD VERY GLADLY DO.

"The first part of the second resolution accompanying the report of the committee of foreign relations, *contemplated* an arrangement by which the respective belligerents would be placed in a state of *equality* as to the exclusion of their ships of war from our harbours. This report was sent to England; and *immediately* the British minister DIRECTED Mr. Erskine to make the propositions which have lately been acceded to and published, provided any measure *was adopted* which would place *Great Britain* in a state of equality with *her enemies*, as to the admission or exclusion of her ships of war from our harbours. THE NON-INTERCOURSE ACT WAS OF THIS NATURE. Mr. Erskine stated the *intentions of his government*, and an agreement has been made."†

"Well may the merchants of Alexandria rejoice at Mr. Madison's *return* to the good old principles of FEDERALISM. Let the *crazy* professors of *Jeffersonism* give themselves up to weeping and wailing, and all the afflicting stings of jealousy and mortification. The federalists WILL pay homage to Mr. Madison, while he continues to pursue the course he has taken."‡§

Relying on the good faith of Great Britain, our government immediately removed all the restrictions on her commerce, restored the intercourse between the two nations to the state in which it had been previous to the misunderstanding, and naturally expected to be met on the same fair and honourable ground by the other contracting party. But fatally other counsels prevailed at St. James's. The solemn contract made by its minister plenipotentiary was rejected on the ground of his having "exceeded his instrutions."

Had Mr. Erskine made a wanton sacrifice of the honour and interests of his country—the rejection of his arrangement might be palliated, perhaps justified. But no man who has any regard to his character, will pretend this to have been the case. Both were equally secured. And to prevent any difficulty in the adjustment of the dispute, to evince more fully Mr. Madison's sincere wish for harmony, the thorny and difficult subject of impressment was laid aside for future negociation.

"But Mr. Erskine exceeded his instructions." What in

* Federal Republican, July 4, 1809.
† New York Evening Post, April 26, 1809.
‡ Federal Republican.
§ These extracts are chiefly taken from "Things as they are."

the name of heaven, I ask, must have been the instructions that did not warrant an envoy extraordinary to propose or ratify such an arrangement; so plain, so simple, so fair, and so honourable?

But admitting for a moment, that Mr. Erskine exceeded his instructions—or let us even suppose that he had made this arrangement of his own mere motion, without any instructions whatever—what reasonable objection could be made to it? Could the most partial friend of England, if actuated by honourable views, require better terms?

Let us analyse the arrangement—let us state the *quid pro quo*—

To America it afforded

1. A repeal of the orders in council—
2. Atonement for the outrage on the Chesapeake.

To England

1. A restoration to all the immense advantages of the most valuable commerce in the world—
2. A continuation of the suspension of intercourse between the United States and France.

I freely appeal at this moment to George Cabot, James Lloyd, jun. governor Strong, Timothy Pickering, Alexander Contee Hanson, or to Lord Castlereagh, to decide whether there were any thing in these terms that could warrant the government of a mighty nation to break the faith pledged by its minister—and to attach shame, disgrace, and dishonour to that minister in the eyes of his own nation and of the whole world? Neither of these gentlemen will dare to aver that there was.

The reader who has perused with attention the Erskine arrangement, and considered the advantageous terms it ensured to England, will be struck with surprise. He will naturally ask, by what illstarred and fatal counsels were the British ministry influenced to reject this measure? This is a question not easily answered. I shall attempt a solution.

A recurrence to the 26th chapter of this work, will shew the tumultuous, disorganizing, and jacobinical proceedings that occurred in Massachusetts in the early part of the year 1809. Open resistance to the embargo was advocated in the papers—preached from the pulpit—plainly menaced in the legislative body—and publicly proclaimed in inflammatory resolutions of town meetings.

Intelligence of these disgraceful, these jacobinical proceedings reached England contemporaneously with the account of Mr. Erskine's arrangement. It is highly probable that the British ministry deceived themselves into the opinion

that our government would be obliged to abandon the restrictive system altogether; that they would then be able to enforce the orders in council, without losing the advantages of our trade; and that this consideration induced them to reject the arrangement.

This I offer merely as a conjecture. That it is plausible, cannot be denied. But in our day there will probably be no opportunity of ascertaining how far it is correct.

Another reason has been assigned. It is said that George III. was irritated at the implied censure of his government respecting the conduct of admiral Berkley, which, it is asserted, so far wounded his feelings as to induce him to reject the arrangement. Many of our citizens have defended the rejection on this ground. Let us calmly and boldly investigate the affair.

The United States are in a state of profound peace. One of their frigates leaves port. She expects no attack. She is unprepared for resistance. She is followed by a vessel of superior force, belonging to a friendly power. This vessel has just enjoyed the hospitalities of our ports. She overtakes our frigate. She imperiously demands four seamen, said to be British.—British or Americans, they had entered voluntarily. And let it be borne in remembrance, the demand is made by a nation which holds in bondage, thousands of our citizens, who, in the pursuit of their lawful vocations, have been seized by force and violence, and often with bloodshed and desperate wounds. And further [illegible] be also borne in remembrance, the demand is made by [illegible] nation which HAS PROCLAIMED, AS AN IRREVOCABLE LAW TO ALL THE WORLD, that *she will hold, at every hazard, those seamen, natives of whatsoever country they may be, who enter her service voluntarily.** The demand is repelled. Our frigate is attacked. Our unresisting citizens are cruelly murdered!!! The decks of the vessel flow with blood!! She is taken. The crew is overhauled. Four of them are outrageously seized and made prisoners. One is ignominiously hanged!! The other three, fully proved to be impressed Americans, are held in bondage——I can go no farther——My pen refuses its office——Does not this blood cry to heaven for vengeance on the murderer? Can the foul stain be effaced but with blood? "Whoso sheddeth man's blood, by man shall his blood be shed."

But, reader, I was wrong. My feelings led me astray. The atonement was worthy of the justice of the monarch whose subjects perpetrated—worthy of the nation which suf-

* This reason has been repeatedly assigned, to justify a refusal of the surrender of natives of America, held in bondage on board British vessels of war, when claimed by the proper agents of our government.

fered—the horrible outrage. For *Admiral Berkeley "was recalled from a highly important and honourable command, as a mark of the king's displeasure!!"** But let it be added, he was recalled to be placed on a better station.—He was removed from Halifax to be stationed at Lisbon †—And this was the only mark of displeasure he ever experienced. In 1810, he was promoted from the rank of vice-admiral to that of admiral. He is now lord high admiral of Portugal.

To be serious. Every man of a correct mind and sound principles felt that his Britannic majesty owed it to himself to have displayed his disapprobation of the foul deed in some other and more decisive mode. The offender ought to have been severely punished. And therefore it is impossible not to approve the dignified but mild style in which the president treats the transaction:—

"I am authorized to inform you, that the president accepts of the note delivered by you, in the name and by the order of his Britannic majesty, and will consider the same, with the engagement contained therein, when fulfilled, *as a satisfaction for the insult and injury of which he has complained.* But I have it in express charge from the president to state, that while he forbears to insist on a further punishment of the offending officer, *he is not the less sensible of the justice and utility of such an example, nor the less persuaded that it would best comport with what is due from his Britannic majesty to his own honour.*"

To enable us to form a correct idea of this transaction, let us suppose that Commodore Barron had anchored in Portsmouth or Plymouth—that twenty of his sailors had voluntarily entered on board a British frigate—that he had demanded them—that he had followed the frigate to sea—had attacked her—had killed part of her crew—had seized as many as he judged proper—and, finally, to cap the climax, that he had hanged one of them. What would be the result? Vengeance! vengeance! would have been the cry from the Orkneys to the Land's End—and nothing would appease the insulted dignity of England, but Copenhagenizing New-York, or Baltimore, or Philadelphia, or Charleston.

"My dear Sir, one of my oxen has gored one of your cows." "Well, to be sure, you will make reparation—you will send me a cow in the place of the one I have lost. To that you cannot make any objection." "It is all very right. But hold, I mistook. It is all the other way. *It was your ox that gored my cow.*" "So, so, we'll see about it. Call some other time." "My good Sir—this is not very correct. *The business would have been soon settled, had you been as willing to do justice to others, as to receive it from them.*"

* See Mr. Erskine's Letter, No. 1.
† The outrage was committed in June. He did not leave Halifax till December.

SINCE the above was written, I have consulted Mr. Canning's despatches to Mr. Erskine, by which it appears that the British government calculated on Mr. Erskine's adjusting the differences between the two nations on the following basis:

Extract of a letter from Mr. Canning, Secretary, to the hon. David M. Erskine, dated Foreign office, January 23, 1809.

"1. That the American government is prepared, in the event of his majesty's consenting to withdraw the orders in council of January and November, 1807, to withdraw cotemporaneously on its part the interdiction of its harbours to ships of war, and all non-intercourse and non-importation acts so far as respects Great Britain; leaving them in force with respect to France, and the powers which adopt or act under her decrees.

"2. (What is of the utmost importance, as precluding a new source of misunderstanding which might arise after the adjustment of the other questions,) ☞ THAT AMERICA IS WILLING TO RENOUNCE, DURING THE PRESENT WAR, THE PRETENSION OF CARRYING ON, IN TIME OF WAR, ALL TRADE WITH THE ENEMIES' COLONIES, FROM WHICH SHE WAS EXCLUDED DURING PEACE!!!

"3. Great Britain, for the purpose of securing the operation of the embargo, and of the *bona fide* intention of America to prevent her citizens from trading with France, and the powers adopting and acting under the French decrees, ☞ IS TO BE CONSIDERED AS BEING AT LIBERTY TO CAPTURE ALL SUCH AMERICAN VESSELS AS MAY BE FOUND ATTEMPTING TO TRADE WITH THE PORTS OF ANY OF THESE POWERS!!! without which security for the observance of the embargo, the raising of it nominally with respect to Great Britain alone, would, in fact, raise it with respect to all the world.

"☞ *On these conditions his majesty would consent to withdraw the orders in council of January and November, 1807, so far as respects America.*"

Let us examine this most precious document with all the attention its importance demands. Let us weigh its every line and every word. Let us see what justice, what fair dealing it meted out to this injured, this insulted, this plundered nation. Let us see how far the advocates of English liberality and English justice are borne out in their commendations of England, and their intemperate abuse of their own government.

The orders in council, existing at the date of the Erskine arrangement, blockaded France, Holland, and a part of Italy; containing a population of about fifty millions of people.

By Mr. Canning's instructions to Mr. Erskine, these orders were to be rescinded on three conditions—

1. Taking off all restrictions from the English commerce.

2. ☞ "Renouncing during the existing war, *all trade* with the enemies' colonies from which we were excluded in time of peace:" in other words, assenting by treaty to the unjust and exploded rule of 1756.

3. Allowing the British to capture our vessels bound to France and her dependencies; WHICH, reader, ☞ IS NEITHER MORE NOR LESS, THAN WEAVING THE ORDERS IN

COUNCIL INTO A TREATY—giving our own solemn sanction to the extravagant pretensions of Great Britain to limit our trade, which pretensions we had steadily resisted.

Stupendous injustice!—Never before were such revolting propositions made to any nation, not absolutely subjugated. What! Make a treaty by which we let loose upon our defenceless commerce, the whole host of the thousand public ships of war, and the hundreds of privateers, of the greatest naval power in the world! The mind is lost in astonishment at such an unparalleled requisition.

But gross, and insulting, and outrageous as was this proposition—destructive as its acceptance would have been to the vital interests of this country—there was no federal printer from New-Hampshire to Georgia, that expressed a single word of censure of the conduct of England for her daring and insulting demands, or for her breach of the contract. No. England was uniformly right—their own government as uniformly wrong. It seemed impossible for England to commit any act, or make any demand that would not be justified—

Let me establish these allegations—

"It having been shewn, that the plea of ignorance is inadmissible in the case of the Erskine arrangement; that it was the secretary's duty to know the power of the minister before he proceeded to act upon it; that to act upon an unknown power, is to act without power: it follows that our administration, if they understood their business, must have been aware that ☞ *they were negociating with an unauthorized individual*—unauthorized quoad hoc, as to this particular subject—with one *who had shewn no authority for the purpose*. Consequently they had no reason to rely on, nor to expect, a fulfilment of the compact by the British government, ☞ *knowing as they did, that it had been agreed upon without any adequate information of the terms having been authorized by that government.*" United States' Gazette, December 11, 1809.

Now, my dear reader, whoever you be, that have come thus far with me, let me solemnly invoke you, in the name of the God of Peace, to make a pause here. As you value your beloved country—as you prize its honour—its happiness—your own welfare—the happiness, the welfare of your posterity—review this whole subject. I must once more bring it before your eyes.

A British envoy extraordinary and minister plenipotentiary informs our government that he has orders to propose an arrangement of two or three leading points of difference between the two countries, preparatory to a treaty. His overtures are accepted. An arrangement is made. It is highly advantageous to both nations, but more particularly to that of the envoy. There is not the slightest sacrifice of its honour or interest. After this arrangement is completed, we are assured ten thousand times that England had been always ready to arrange our differences on these very terms. The United

States Gazette expressly states that "she had requested Mr. Jefferson to do the same thing."—And yet, when the arrangement is rejected, this same United States Gazette asserts that the envoy extraordinary had no power to make the convention—defends England for the breach of her engagement—and, as I have already stated, transfers the odium to its own government!!! No powers of language are adequate to express my astonishment.

"No expression has escaped any member of the British cabinet, either in parliament or elsewhere, making indecorous insinuations against the United States, or manifesting a temper unfriendly to conciliation. On the contrary they have declared *a wish to renew amicable negociation*; have named a minister for that purpose; and with at least apparent sincerity have expressed their fears that this unfortunate error of Mr. Erskine may increase the difficulties of a friendly arrangement between the countries." United States' Gazette, Oct 5, 1809.

"By letters from well-informed men in England, we are assured that *the conduct of Mr. Erskine is condemned by all parties in that country*; that the temper of the public is far beyond that of the ministry. A very general opinion prevails there, that it will be very difficult to keep any terms with this country; *that we are governed by men devoted to the interests of France, who are determined to insist on terms from England which never can be obtained!!!*" Boston Palladium, Aug. 11, 1809.

"*The people have been flagrantly deceived, and grossly abused!!! The matter rests between Mr. Erskine and our administration!!!* Wherever the blame shall attach, it is for the people to apply or originate the remedy." *Fed. Republican*, July 31.

"*In short, Mr. Erskine surrendered every thing, and got nothing in return!!!*" Ibid.

"For our part, *we have had but one opinion from the commencement of this mysterious affair*—and we have made bold to express it. It is, that *Mr. Erskine acted contrary to his instructions!!!—and that secretary Smith knew what these instructions were!!!*" Ibid.

Before I offer any comment on the three last articles, I wish to state to the reader, that I have extracted them from a pamphlet published by Mr. Niles, called "Things as they are"—that I have had no opportunity of collating them with the originals—but that I have written to Mr. Hanson, one of the editors of the Federal Republican, to correct me if I have misquoted his paper. I have received no reply—and therefore it is to be presumed the quotations are correct.

Mr. Hanson states that "*Mr. Erskine surrendered every thing, and got nothing in return!*" What a stupendous disregard of fact is embraced in these few words! It is impossible to exceed it. What did he surrender? Merely the odious, the unjust orders in council! And did he receive nothing in return? Was the immense trade of the United States nothing? Was it nothing to perpetuate the non-intercourse with France, till she rescinded her piratical decrees? I aver in the face of this nation, and defy Mr. Hanson to controvert the fact, that England gained immensely—and that she

surrendered nothing but what justice ought to have induced her to have surrendered long before, of her own accord.

"I entreat my fellow-citizens to accompany me a little further in the examination of those invectives which the leaders of an immense party in this country incessantly utter against Great Britain for the purpose of exasperating us into war." U. States Gazette, Oct. 18, 1809.

"He [Mr. Erskine] also declares that the British government have undoubtedly a right to disavow the agreement; and ☞ *they have done every thing that became an honourable nation to prevent evil consequences* arising to the citizens of this country from trusting to the terms of the agreement being fulfilled." U. S. Gazette, Oct. 5, 1809.

"It is a truth which the wisest and best patriots of America have long and seriously deplored, that ☞ *the past administration had furnished no symptom of impartiality between the two belligerents*, previous to the act inhibiting the entrance of our ports to the armed vessels of the one as well as of the other. In that spirit which Mr. Smith still retains, and now labours to revive in the bosom of others, ☞ *hostility to England and tame subserviency to France, are known to have been its characteristic features!!!* The facts are in the possession of every man; which prove that the feelings of the great body of the people, not their leaders, preserved us from a war in which a complete success would have riveted chains on ourselves." U. S. Gazette, October 18, 1809.

"It will be observed that this show of words, and these negative statements, after all, by the president, serve only to make the public believe, that ☞ *he had no reason to apprehend a disavowal.* He is not hardy enough to say, that under the circumstances of the case, ☞ *the British government was bound to abide by Erskine's act*; or that they conducted perfidiously in disavowing it. Yet this aspersion, one of the most injurious and provoking that can be thrown upon a nation, has been uttered, and incessantly repeated, for several months, in every democratic paper in the union." Idem, December 20, 1809.

"Every one acknowledges, that had our executive concluded the arrangement of April last, with Mr. Erskine, knowing that he was unauthorized, the whole responsibility for the consequences, however serious, would have rested upon themselves. It has been maintained by the editor of this Gazette and is now demonstrated by the indubitable authorities, adduced by Mr. Lane, that ☞ *to have done so without knowing that he was authorized, was equally unwarrantable, and left the administration no ground on which to claim a ratification of the proceeding by the British government.* It is proved beyond a doubt that ☞ *the government might, with just as much propriety, have cajoled with general Smith, or any other individual; concluded a convention; proceeded to carry it into execution on their part; and then raised a clamour against the government of Great Britain, and accused them of perfidy and breach of faith for not recognizing and fulfilling the stipulations.*" Idem. Dec. 28, 1809.

"If, as asserted by Mr. Erskine, his powers were communicated to our cabinet in substance—if the heads of departments did early communicate to the leading members of both branches of their own politics, ☞ *the incompetency of his powers, and the probability of the rejection of the agreement by Great Britain*—then that adjustment, *so far from being a proof of a disposition to make peace and settle our differences,* ☞ IS THE STRONGEST EVIDENCE OF A HOSTILE TEMPER: because Mr. Madison knew, that the revulsion and the disappointment occasioned by it among our citizens, would excite new clamours, and would break to pieces that formidable phalanx of men, who, during our embarrassments, had learned to speak and think more favourably, and of course more justly, of Great Britain." Idem, December 9, 1809.

"If such has been his aim (and perhaps a deeper politician does not exist) it has been completely attained. His own party are again roused to a war pitch. ☞ *Even some federalists are open in their censure of Great Britain for* ☞ DOING HER DUTY TO HERSELF, and exercising a right we have

always claimed and received; and other federalists doubt, and are in favour of waiting to hear Mr. Erskine's explanations, and ☞ STILL PROPOSE TO PLACE AN ILL DESERVED CONFIDENCE IN MR. MADISON." Idem.

On this last paragraph I shall make but one observation, to which I request attention. It is, that according to the United States Gazette, it was, in December, ☞ "THE DUTY" OF ENGLAND "TO HERSELF," to reject an arrangement which the same Gazette in April stated ☞ *she had repeatedly in vain pressed on Mr. Jefferson!!!*

To facilitate a comparison of the astonishing, the never-enough-to-be-lamented contradictions of opinions that were promulgated on this subject, for the purpose of poisoning the public mind, I place in opposite columns some of the statements that preceded, and those that followed the rejection of the Erskine arrangement. The human mind cannot conceive any thing more completely inconsistent.

"As to the revocation of the *orders in council* it is merely necessary to observe, that the *terms* which our government has *now* accepted *might have been obtained at any time past*; THEY WERE ALWAYS IN OUR POWER." Federal Republican, May 3.

"Let Mr. Erskine's overture for an accommodation be viewed in whatever light it may suit democratic ingenuity to place it, and they will find that the delusion so long kept up is effectually dissipated—their *diabolical* schemes completely frustrated.

"Great Britain, in the *true spirit of amity, is willing to meet us.*" Idem.

"To the honour of England, and the confusion of *French* spies and convict fugitives from the British dominions, *her* ministry seized the first favourable moment to make honourable reparation for the insult offered our flag, and to negociate a commercial treaty." Idem, April 25.

"The authority vested in Mr. Erskine to offer the terms to this government which have been acceded to, was merely provisional, and was not to be exercised unless the anticipated change in our political relations, on which they were predicated, should take place. Mr. Erskine has since received *positive* instructions from his government to make the arrangement already concluded. These *new instructions*, which manifest the *earnest* desire of England to heal the differences between the two countries, are occasioned by a knowledge that the non-intercourse law had actually pas-

"What was but a few days ago a doubtful point, is now settled by the publication of Mr. Erskine's instructions. Sufficient information has been received to convince all candid persons, that the rancour with which the English cabinet has been pursued, and the violent abuse with which it has been assailed, was *undeserved*. We do not entertain a doubt when all the circumstances shall have been disclosed, that ☞ *it will appear that secretary Smith actually saw Erskine's instructions; and that the arrangement was made, merely as an experiment.* We feel confident that the thing will be put upon this footing. ☞ *If then the United States will be ultimately injured by this act, they will judge where the blame lies*"

Fed. Rep. July 27, 1809.

"Our cabinet, certainly not a little interested in strengthening the cause of democracy, have prevailed upon Mr. Erskine to do an act which has extricated their party from the most embarrassing and difficult situation that it was possible for them to be placed in, which they [the cabinet] knew would not be ratified: they at a single dash, rid themselves of all the obnoxious measures which brought so much ridicule and disgrace upon their party, and have contrived for a time, to heap odium upon England. In the next place by seeming to improve the first opportunity of an arrangement with England, they disproved to appearance the charge of animosity to England and partiality for France.

sed, placing the belligerents on a fair footing of impartiality. In spite of all the intrigues and deceptions of the French party, we are convinced that a happy termination will be put to our disputes with England."

Fed. Rep. June 17.

"It was the policy of Mr. Jefferson to keep alive in the minds of our people a perpetual *irritation* against the government of *Great Britain*; we are happy to find that Mr. Madison has more *liberal* views."

Fed. Rep. June 10.

"Peace with England—The *war party and French partisans are thrown into complete confusion.* The perseverance of the *Eastern States*, aided by the returning sense of a formidable body of the people of the Southward, have DRIVEN ADMINISTRATION FROM ITS GROUND. Since Mr. Jefferson has retired in *disgrace* into private life, *his successor has been compelled to abandon the ruinous policy under which the country has so long suffered.* With the *magnanimity* and *frankness* characteristic of a *great* and *enlightened* nation, *England made a second attempt to renew the terms of amity and peace between the two nations.* The particulars of the correspondence between Mr. Erskine and the secretary of state are given in this day's paper. It proves what we have so often repeated, and which has ever been stubbornly denied by the *democrats*, that *Great Britain was always influenced by a sincere desire to accommodate her unfortunate differences with America.* The preservation of the country has grown out of the efforts of the minority in congress."

Idem, April 21.

"We shall not stop to enquire whether the spirited and vigorous measures of New-England—their determined public declarations that they would not submit to an unnecessary and destructive war, have induced the administration to listen to ☞ *the same terms which Great Britain has always been ready to offer, and to which we have uniformly contended she was sincerely disposed.*"

Boston Gaz. April 1809.

"These were the important advantages which Mr. Secretary Smith flattered himself would be the fruit of his cunning. By effecting an arrangement which he knew was unauthorised on the part of Mr. Erskine, and would necessarily be rejected by the British government; he calculated that the administration would be rendered greatly popular, and the resentment of the people proportionably augmented against England, whenever the disavowal should be received. Whenever it shall be made to appear that the nation has been deceived, the trick will recoil upon the Secretary and his party with tenfold effect. The American people cannot bear knavery and imposition. If they discover that a fraud has been practised upon them at home, the attempt to raise a clamour against others, will be found but a poor protection to their popularity." Idem.

"Those who were most violent at first in calumniating England are now willing at least to suspend their decision, if not to admit that *our own cabinet* in some measure will participate in Mr. Erskine's blame."

Fed. Rep. Aug. 7.

I could fill a folio volume with these frothy, elaborate and anti-American defences of the British, and inculpations of the United States government. But I feel satisfied that I have done enough; and that there is none but the wilfully

blind can deny, that no cause ever could boast of more ardent, more zealous, or more industrious advocates than the cause of Great Britain has experienced in Boston, New York, and Philadelphia—and that there never was an administration pursued with more remorseless virulence, and with less semblance of justice than Mr. Madison's has been.

After the reader has carefully perused these wretched attempts to palliate the folly and madness of the British ministry in the rejection of such an advantageous and honourable arrangement of the differences between the two nations, and to transfer from that ministry the odium they so justly deserved, to the administration of the American government, I beg he will attentively examine the following view of the subject, taken from Bell's Weekly Messenger, of which the truth and candour are entitled to the highest approbation:—

"But the point of fact is, that the disavowal of Mr. Erskine's act, is of a piece with the general conduct of England towards America. Whenever circumstances have in any way admitted it, our tone towards America has always been insulting, and our conduct every thing but friendly. Every new hope on the Continent; every straw to the drowning expectations of Europe, has but aggravated this unworthy sentiment.—In our prosperity we have bullied America: and when things are not so well with us we have vented our strife in injurious language and unworthy conduct towards her. While there were any hopes in Spain, America could get nothing direct from us. But disappointment brought us to our senses, and the negociation was renewed. The coalition war on the Continent has since broke out, and we begin to repent of our condescension.

"In this manner has the American negociation been on and off, during some years.—Our demands rising with our hopes and prosperity, and our moderation co-existent with our disappointment."*

CHAPTER XXXI.

Impressment of American Seamen. Plea of James Madison. Of John Quincy Adams. Of Wm. Cobbett. Of Weekly Register.

AN idea is very prevalent, that the impressment of our seamen by the British vessels of war is a grievance of little moment, to which the malice entertained by our administration against England, has attached an importance of which it is utterly undeserving. Hundreds of thousands of our citizens have been duped into the belief that this item of grievance was created under Mr. Jefferson, or at least incalculably exaggerated by him and his successor. Never was there a more egregious error. Never was fraud more successful in propagating—never was fatuitous credulity more deceived in believing, a tale as foreign from the truth as Erebus is from Heaven.

* The chief part of the extracts in this chapter are taken from "Things as they are," written and published by Hezekiah Niles, editor of the Weekly Register.

Mr. Madison has been ten thousand times cursed for his folly and wickedness in involving this country in war for the purpose of securing a few seamen, who are said to be vagabond English, and Irish, and Scotchmen, the scum of the earth, from the claims of their lawful prince. It has been asserted that few or none of the natives of this country are impressed—that when such an *accident takes place*, redress is easily had—and further, that England is, and has at all times been, ready to make any arrangement whereby our sailors may be guarded against impressment, provided she can be secured against the loss of hers.

These assertions are utterly false. From the commencement of the war of the French revolution, to the late declaration of hostilities, this has been a constant, unceasing subject of reclamation and complaint to the British government, as well under the administrations of General Washington and Mr. Adams, as under those of Mr. Jefferson and Mr. Madison. And disgraceful, and dishonourable, and infamous, would it have been to any of the presidents, had they been deaf to the complaints, and callous to the sufferings, of the American slaves, stolen by force and fraud from their families, and freedom, and favoured country, to perish fighting the battles of their enslavers.

"The practice has no parallel, either for atrocity or extent, in any thing of modern times, but the business of negro stealing on the coasts of unfortunate Africa."*

I submit to the reader the following eloquent and unanswerable pleas against this nefarious practice. They so far transcend any thing I could myself write on the subject, that I shall deserve thanks for sparing my own, and substituting these lucubrations.

From the instructions of James Madison, Esq. Secretary of State, to James Monroe, Esq. Minister Plenipotentiary at the Court of London.

"Were it allowable that British subjects should be taken out of American vessels on the high seas, it might at least be required that ☞ *the proof of their allegiance should lie on the British side.* This obvious and just rule is however reversed. And every seaman on board, though going from an American port, sailing under an American flag, and sometimes even speaking an idiom proving him not to be a British subject, is presumed to be such, ☞ *unless proved to be an American citizen.* It may be safely affirmed, that ☞ *this is an outrage which has no precedent*, and which ☞ *Great Britain would be among the last nations in the world to suffer*, if offered to her own subjects, and her own flag.

"Great Britain has the less to say on the subject, as it is

* Weekly Register.

in ☞ *direct contradiction to the principles on which she proceeds in other cases.* Whilst she claims and seizes on the high seas, her own subjects voluntarily serving in American vessels, she has constantly given, when she could give, as a reason for not discharging from her service American citizens, that they had voluntarily engaged in it. Nay more, ☞ *whilst she impresses her own subjects from the American service, although they may have been settled, and married, and naturalized in the United States,* ☞ *she constantly refuses to release from her's, American seamen pressed into it whenever she can give for a reason, that they are either settled or married within her dominions. Thus* ☞ *when the voluntary consent of the individual favours her pretensions, she pleads the validity of that consent.* ☞ *When the voluntary consent of the individual stands in the way of her pretensions, it goes for nothing.* ☞ *When marriage or residence can be pleaded in her favour, she avails herself of the plea.* ☞ *When marriage, residence, and naturalization are against her, no respect whatever is paid to either.* ☞ *She takes, by force, her own subjects voluntarily serving in our vessels.* ☞ *She keeps by force American citizens involuntarily serving in her's. More flagrant inconsistencies cannot be imagined."*

Never since the world was formed was there a stronger, or more irresistible train of argument, or collection of facts, than in the preceding paragraph. Never were flagrant injustice, outrage, and violence more completely proved, and eternally shut out from the possibility of defence.

From a letter of J. Q. Adams, Esq. to H. G. Otis, Esq.

"The impressed American citizens, however, upon *duly authenticated proof* are delivered up. Indeed! how unreasonable then were complaint! how effectual a remedy for the wrong! an American vessel, bound to an European port, has two, three, or four native Americans, impressed by a British man of war, bound to the East or West Indies. When the American captain arrives at his port of destination, he makes his protest, and sends it to the nearest American Minister or consul. When he returns home, he transmits the duplicate of his protest to the Secretary of State. In process of time, the names of the impressed men, and of the ship into which they have been impressed, are received by the agent in London. He makes his demand that the men may be delivered up—the lords of the admiralty, after a considerable time for enquiry and advisement, return for answer, that ☞ *the ship is on a foreign station, and their lordships can therefore take no further steps in the matter*—or, that the ship has been taken, and that the men have been received in exchange for French prisoners—or, ☞ *that they had no pre-*

tections (the impressing officers often having taken them from the men)—or, ☞ *that the men were probably British subjects*; or, that they had entered, and taken the bounty; (to which the officers know how to reduce them)—or, ☞ *that they have been married, or settled in England.* In all these cases, without further ceremony, their discharge is refused. Sometimes, their lordships, in a vein of humour, inform the agent that the man has been discharged as *unserviceable.* Sometimes, in a sterner tone, they say he is *an impostor.* Or, perhaps, by way of consolation to his relatives and friends, they report ☞ *that he had fallen in battle, against nations in amity with his country.* Sometimes they coolly return that there is ☞ *no such man on board the ship:* and what has become of him, the agonies of a wife and children in his native land may be left to conjecture. When all these and many other such apologies for refusal fail, the native American seaman is discharged—and when by the charitable aid of his government he has found his way home, he comes to be informed, that ☞ *all is as it should be—that* ☞ *the number of his fellow-sufferers is small—that* ☞ *it was impossible to distinguish him from an Englishman—and that* ☞ *he was delivered up, on duly authenticated proof!*"

Extract from Cobbett's Register.

"Our ships of war, when they meet an American vessel at sea, board her, and take out of her by force, any seamen whom our officers assert to be British subjects. ☞ *There is no rule by which they are bound.* ☞ *They act at discretion:* and the consequence is, that ☞ *great numbers of native Americans have been thus impressed, and* ☞ *great numbers of them are now in our navy.* The total number so held at any one time cannot, perhaps, be ascertained; but *from a statement published in America it appears, that Mr. Lyman, the late consul here, stated the number, about two years ago, at* FOURTEEN THOUSAND. ☞ *That many of these men have died on board of our ships—* ☞ *that many have been wounded—* ☞ *that many have been killed in action—and* ☞ *that many have been worn out in the service, there can be no doubt.* Some obtain their release through the application of the American consul here: and of these the sufferings have in many instances been very great. There have been instances where men have thus got free ☞ *after having been flogged through the fleet for desertion.*

"But it has been asked whether we are not to take our sailors where we find them? To which America answers, yes; but take only your own; "*take,*" said Mr. Lyman, "*your whole pound of flesh; but take not a drop of blood.*" She says that she wishes not to have in her ships any British

sailors: and she is willing to give them up, whenever the fact of their being British sailors can be proved. Let them, she says, be brought before any magistrate, or any public civil authority, in any one of your own ports, at home or abroad; and she is willing to abide by the decision. ☞ But, let not men be seized in her ships upon the high seas (and sometimes at the mouths of her own rivers) where there is nobody to judge between the parties, and ☞ *where the British officer going on board is at once* ACCUSER, WITNESS, JUDGE, and CAPTOR!"

From Niles's Weekly Register, vol. 3, page 303.

"If the most dignified officer in the naval service of our enemy were to plunder neutral vessels of a *box of cod-fish*, or a *bale of cotton*, on *suspicion* that it was even *enemy's* property, it might cost him his whole fortune, with an ignominious dismissal. The law of nations allows him to send in the vessels for adjudication: and it becomes him to prove the fact he suspected. If he fail in this, he is often mulcted in heavy damages by the courts of law of his own country. But ☞ *in the business of man-stealing, he himself is judge and jury*—☞ *he takes when and where he pleases*, and ☞ *is irresponsible for his conduct*. If complaint is made, he silences it by the broad plea, "*that his majesty wanted men*"—and, if the man stolen is restored to liberty after years of dangers and servitude, without one cent for his hazards and toils, ☞ *there are knaves who produce his case in evidence of "British magnanimity!"*

After the reader has carefully perused the preceding arguments, I request he will read and compare the sentiments of Mr. Pickering on the subject of impressment at two different periods, the first when he was secretary of State, and the second when he was senator of the United States.

"☞ *The British naval officers often impress Swedes, Danes, and other foreigners, from the vessels of the United States.* ☞ *They have even sometimes impressed Frenchmen!!* If there should be time to make out the copy of a protest lately received, it shall be enclosed, describing, ☞ *the impress of a Dane and a Portuguese.* This surely is an abuse easy to correct. ☞ *They cannot pretend an inability to distinguish these foreigners from their own subjects.* ☞ *They may with as much reason rob American vessels of the property or merchandize of the Swedes, Danes, or Portuguese, as seize and detain in their service the subjects of those nations found*

"☞ It is perfectly well known that GREAT BRITAIN DESIRES TO OBTAIN ONLY HER OWN SUBJECTS.†

"The evil we complain of ☞ *arises from the impossibility of always distinguishing the persons of two nations* who a few years since were one people, who exhibit the same manners, speak the same language, and possess similar features.‡

"The British ships of war, agreeably to a right claimed and exercised for ages—a right claimed and exercised during the whole of the administrations of Washington, of Adams, and of Jefferson, continue to take ☞ *some of the British seamen found on board our mer-*

† Letter from Timothy Pickering to the hon. James Sullivan, governor of Massachusetts, Feb. 16, 1808, page 9.

‡ Ibid.

on board American vessels. The president is extremely anxious to have this business of impress placed on a reasonable footing."*

chant vessels, and with them A SMALL NUMBER of ours, from THE IMPOSSIBILITY OF DISTINGUISHING ENGLISHMEN FROM CITIZENS OF THE UNITED STATES."†

I cannot allow these extracts to pass without beseeching, and imploring the reader to ponder well on their contents—to compare them together carefully.—The history of the human race, from the earliest records of time, furnishes no stronger instance of contradiction, or inconsistency. Mr. Pickering, when his station as *Secretary of State* rendered it a duty to defend the rights of his country, clearly and explicitly asserts, that the British impressed Swedes, Danes, Portuguese, and even Frenchmen, from on board our vessels. Afterwards, to answer the purposes of party, he states that they impressed Americans merely through "the impossibility of distinguishing" them from their own subjects! What an awful perversion of facts!

CHAPTER XXXII.

Impressment during the administration of General Washington. Letter from T. Jefferson to T. Pinkney. From Mr. Jay to Lord Grenville. From T. Pickering to Rufus King. From Rufus King to Lord Grenville.

Extract of a letter from T. Jefferson, Esq. secretary of state, to Thomas Pinkney, minister plenipotentiary of the United States at London.

Department of State, June 11, 1792.

"THE peculiar custom in England of impressing seamen on every appearance of war, will occasionally expose our seamen to peculiar oppressions and vexations. It will be expedient that you take proper opportunities, in the mean time, of conferring with the minister on this subject, in order to form some arrangement for the protection of our seamen on those occasions. We entirely reject the mode which was the subject of conversation between Mr. Morris and him; which was, that our seamen should always carry about them certificates of their citizenship. ☞ *This is a condition never yet submitted to by any nation;* one with which seamen would never have the precaution to comply—the casualties of their calling would expose them to the constant destruction or loss of this paper evidence; and ☞ *thus the British government would be armed with legal authority to impress the whole of our seamen.* The simplest rule will be, that the vessel being American, shall be evidence that the seamen on board of her are such. If they apprehend that our vessels might thus become asylums for the fugitives of their own nation from impress gangs, the number of men to be protected by a vessel may be limited by her tonnage; and one or two officers only be permitted to enter the vessel in order to examine the number; but ☞ *no press gang should be allowed ever to go on board an American vessel, till after it shall be found that there are more than the stipulated number on board,* nor till after the master shall have refused to deliver the supernumeraries (to be named by himself) to the press officer who has come on board for that purpose; and even then the American consul shall be called in. In order to urge a settlement of this point before a new occasion may arise, it may not be amiss to draw their attention to *the peculiar irritation excited on the last occasion, and the difficulty of avoiding our making immediate reprisals on their seamen here.* You will be so good as to communicate to me what shall pass on this subject, and it may be made an article of convention to be entered into either there or here."

* Letter from Timothy Pickering, Esq. secretary of state, to Rufus King, Esq minister at the court of London, dated Oct. 26, 1796.

† Letter from Timothy Pickering to the hon. James Sullivan, governor of Massachusetts, Feb. 13, 1808, page 13.

From the same to the same.

Oct. 12, 1792.

"I enclose you a copy of a letter from Messrs. Blow and Melhadde, merchants, of Virginia, complaining of the taking away of their sailors, on the coast of Africa, by the commander of a British armed vessel. *So many instances of this kind have happened*, that it is quite necessary their government should explain themselves on the subject, and be led to disavow and punish such conduct. I leave to your discretion to endeavour to obtain this satisfaction by such friendly discussions as may be most likely to produce the desired effect, and secure to our commerce that protection against British violence, which it has never experienced from any other nation. No law forbids the seaman of any nation, to engage in time of peace, on board a foreign vessel: no law authorizes such seaman to break his contract, nor the armed vessels of his nation to interpose force for his rescue."

From the same to the same.

Nov. 6, 1792.

"I enclose you now the copy of a letter from Mr. Pintard, our consul at Madeira, exhibiting another attempt at the practice on which I wrote to you in my last, made by capt. Hargood, of the British frigate Hyæna, to take seamen from on board an American vessel bound to the East Indies. It is unnecessary to develope to you the inconveniences of this conduct, and the impossibility of letting it go on. *I hope you will be able to make the British ministry sensible of the necessity of punishing the past and preventing the future.*"

Extract of a note from Mr. Jay, envoy extraordinary and minister plenipotentiary of the United States at London, to lord Grenville, secretary of foreign affairs, dated

London, July 30, 1793.

"The undersigned finds it also to be his duty to present, that the irregularities before mentioned extend not only to the capture and condemnation of American vessels and property, and *to unusual personal severities, but* ☞ *even to the impressment of American citizens, to serve on board of armed vessels.* ☞ *He forbears to dwell on the injuries done to those unfortunate individuals, or on the emotions which they must naturally excite, either in the breasts of the nation to which they belong, or of the just and humane of every country.* His reliance on the justice and benevolence of his majesty, leads him to indulge a pleasing expectation, that orders will be given, that Americans so circumstanced be immediately liberated, and that persons honoured with his majesty's commissions do in future abstain from similar violences.

"It is with cordial satisfaction that the undersigned reflects on the impressions which such an equitable and conciliatory measure would make on the people of the United States, and how naturally they would inspire and cherish those sentiments and dispositions which never fail to preserve as well as to produce respect, esteem, and friendship."

Extract from the instructions given by Timothy Pickering, Esq. secretary of state, to Rufus King, Esq. minister at the court of London.

June 8, 1796.

☞ *The long but fruitless attempts that have been made to protect American seamen from British impresses* prove that the subject is in its nature difficult.

"The simplest rule would be, that the vessel being American, *should be evidence that the seamen are such.* But it will be an important point gained, if, on the high seas, our flag can protect those of whatever nation who sail under it. And for this, humanity, as well as interest, powerfully plead. ☞ *Merchant vessels carry no more hands than their safety renders necessary. To withdraw any of them on the ocean, is to expose both lives and property to destruction.* We have a right then to expect that the British government will make no difficulty in acceding to this very interesting provision. And the same motives should operate with nearly equal force, to procure for us the like exception in all the British colonies, but especially in the West Indies. In the latter the consequence of an impress is ☞ *the detention of the vessel.* ☞ *By the detention, the vessel is injured or destroyed by the worms, and* ☞ *the remnant of the crew exposed to the fatal diseases of the climate.* Hence a longer detention ensues. The voyage becomes unprofitable to the merchant: a

☞ *humanity deplores the loss of many valuable lives.* But there is another cogent reason for an exemption from impresses in the British colonies—that ☞ THE PRACTICE WILL BE, AS IT HAS ALWAYS BEEN, SUBJECT TO MONSTROUS ABUSES: and the supreme power is so remote, that ☞ THE EVILS BECOME IRREMEDIABLE, BEFORE REDRESS CAN EVER BE SOUGHT FOR.

"To guard against abuses on the part of American citizens, every master of a vessel, on his arrival in any port of the British colonies, may be required to report his crew, at the proper office. If, afterwards, any addition be made to them by *British subjects*, these may be taken away. In the ports of Great Britain and Ireland, the impress of *British subjects*, found on board of our vessels, must doubtless be admitted. But this should be controlled by regulations to prevent insults and injuries, and to administer prompt relief ☞ *where American citizens (which will assuredly happen) shall be mistaken for British subjects.*

"*There are three classes of men, concerning whom there can be no difficulty.* 1. *Native American citizens.* ☞ 2. *American citizens, wherever born, who were such at the definitive treaty of peace.* ☞ 3. *Foreigners, other than British subjects, sailing in American vessels, and whose persons ought to be as sacred, as it respects the British, as those of native citizens.* The 4th class consists of British born subjects, but who, or many of whom, may have become citizens subsequent to the treaty of peace, or who hereafter may be admitted to the rights of citizens. It is this class alone, about which any pretence of right to impress can be made. With regard to these, it may be attempted to protect them, as well in time of war as of peace, in the following cases: First, ☞ when they shall have served in American vessels, public or private, for the same term in which foreigners serving in British vessels would acquire the rights of British subjects, which is understood to be three years: or secondly, if so much cannot be obtained, when those persons, originally British subjects, shall have resided five years in the United States, and been formally admitted to the rights of citizens, according to our laws.

"It must often happen that sailors will lose their certificates: provision should therefore be made for the admission of other reasonable proof of their citizenship, such as their own oaths, with those of the masters, mates, or other creditable witnesses. The rolls of the crews, or shipping papers, may also be authenticated by the collectors of the customs: and then they ought to be admitted as of equal validity with the individual certificates."

From the same to the same.

Sept. 10, 1796.

"I enclose a letter from Francis S. Taylor, deputy collector of Norfolk, respecting four impressed seamen. It appears to be written with candour, and merits attention. If, as the captain of the Prevoyante [Wemyss] says, the dignity of the British government will not permit an enquiry on board their ships for American seamen, *their doom is fixed for the war: and thus* ☞ THE RIGHTS OF AN INDEPENDENT NATION ARE TO BE SACRIFICED TO BRITISH DIGNITY. Justice requires that such enquiries and examination be made; because otherwise the liberation of our seamen will be impossible. ☞ *For the British government, then, to make professions of respect to the rights of our citizens, and willingness to release them, and yet deny the only means of ascertaining those rights, is an insulting tantalism.*

"☞ *If the British government have any regard to our rights, any respect for our nation, and place any value on our friendship, they will even facilitate to us the means of releasing our oppressed citizens.* The subject of our impressed seamen makes a part of your instructions; but the president now renews his desire that their relief may engage your special attention."

CHAPTER XXXIII.

Impressment during the Administration of Mr. Adams. Letter from Rufus King. From Silas Talbot. From Timothy Pickering. Instructions of Judge Marshall to Rufus King.

I now proceed in chronological order to state the views of our government upon—the remonstrances of our public officers against—and the redress afforded or refused in—the

odious affair of impressment, during the administration of Mr. Adams.

I begin with Rufus King, esq. whose name, from the ground he now takes in politics, is a tower of strength on this subject.

From Rufus King, Esq. to Timothy Pickering, secretary of state.

London, April 13, 1797.

"The subject [of impressment] in all its details, has come under my observation; and its importance, I confess, is much greater than I had supposed it. ☞ *Instead of a few, and those in many instances equivocal cases, I have, since the month of July last, made application for the discharge from British men of war, of* 271 seamen, who, stating themselves to be Americans, have claimed my interference: of this number 86 have by the admiralty been ordered to be discharged: 37 more have been detained as British subjects, or as American volunteers, or for want of proof that they are Americans: and to *my applications for the discharge of the remaining* 148, *I have received no answer;* ☞ *the ships on board of which these seamen were detained, having, in many instances, sailed before an examination was made, in consequence of my applications.*

"It is certain, that some of those who have applied to me, are not American citizens. ☞ BUT THE EXCEPTIONS ARE IN MY OPINION FEW: and the evidence, exclusive of certificates, has been such as ☞ in most cases to satisfy me that ☞ THE APPLICANTS WERE REAL AMERICANS, who had been forced into the British service; and who ☞ *with singular constancy have generally persevered in refusing pay and bounty, though in many instances they have been in service more than two years.*"

To this document, I most earnestly invite and invoke the attention of the American nation, and the whole people of Christendom. It affords the most conclusive defence of the strong ground taken on this subject by the administration; and sets the seal of eternal contradiction on the assertion, so often repeated, that the poor, miserable, enslaved, and by-his-country-abandoned sailor—the pride—the glory—the bulwark of that ungrateful country—is *readily surrendered, when impressed by mistake.* Let no man ever dare again to make the assertion. It is not true. It never was true.

Mr. King tells us a plain story. He applied for the emancipation of 271 American slaves, forced to fight for their enslavers. (☞ *Not quite a third were discharged—and* ☞ *more than one half of the whole number were debarred of any chance of redress, by a plain and simple process;* ☞ the vessels, on board of which they were, having ☞ "*in many instances sailed before an examination was had in consequence of his application.*"

From Silas Talbot, Esq. agent for the relief of impressed seamen, to Timothy Pickering, Esq. secretary of state.

Kingston, July 4, 1797.

"Admiral Sir Hyde having gained information, that my application to the civil authority of this island, to obtain the release of such American citizens as were found to be detained on board his majesty's ships of war, had been attended with some success, he immediately issued a general order to all captains and commanders of ships and vessels of war, *directing them not to obey any writ of habeas corpus, nor suffer any men to leave their ships in consequence of any such writ.* Since the above mentioned order was issued, writs have been obtained against Captain Elphinstone, of the Tar-

tar frigate, to produce three Americans, named in the writ, before the chief justice; and against captain Foster, of the Albicore, to produce four; and also, against Captain Otway, of the Ceres frigate, to produce twenty Americans, in like manner before the chief justice. All those writs were served, but none of them was obeyed. Attachments against the said captains have been ordered by the court; and a writ of attachment against Captain Otway was taken out fifteen days since. But the marshal has not been able, as he says, to serve it on Captain Otway: and from all that I can learn, there is not any probability that he will serve the writ; so that *the law in this island, it seems, cannot be administered for the relief of American citizens, who are held in British slavery;* ☞ *many of whom, as they write to me from on board Captain Otway's ship,* ☞ HAVE BEEN BROUGHT TO THE GANGWAY, AND WHIPPED, FOR WRITING TO THEIR AGENT TO GET THEM DISCHARGED!"

Here again we find what redress the American slave had to expect. He was brought to the gangway, and ☞ IGNOMINIOUSLY SCOURGED for daring to try to have his case taken into the cognizance of the American agent for the relief of impressed seamen!!!

From Timothy Pickering, Esq. secretary of state, to Silas Talbot, Esq.

August 15 1797.

"If any naval officer shall have committed such an outrage on any American seamen, as to ☞ BRING THEM TO THE GANGWAY, as you mention, or to inflict any kind of punishment on them, especially for seeking opportunities to inform you of their situation, for the purpose of obtaining the just relief to which they are entitled, pray endeavour to get proofs of the fact, that I may make it the subject of a special representation to the British government."

From Timothy Pickering, Esq. secretary of state, to Rufus King, Esq.

Trenton, October 3, 1797.

"Lord Grenville's observations on the act of congress for the relief and protection of American seamen, present difficulties which demand consideration at the ensuing session. But your reasoning in your letter to his lordship of the 30th of last November, is conclusive against the British pretences to retain real American seamen who are married in their dominions, or who have voluntarily entered on board British vessels. ☞ *It behoves the honour and faith of the British government, to adhere to their principle on natural allegiance wholly, or to renounce it wholly:* And an answer on this point, would have become his lordship's candour.

"I consider Col. Talbot's agency in the West Indies to be no longer very important. *The rigid conduct of Admiral Sir Hyde Parker* (who from he beginning has thrown obstacles in the way) *leaves but little room to get our seamen released.* The opposition of the officers in general, induced Colonel Talbot to take out writs of habeas corpus at Jamaica, by which, directly or in their consequences, ☞ *he obtained the discharge of nearly fifty seamen.* But Admiral Parker has for some time past, ☞ *forbidden his officers to pay any attention to such writs: and Col. Talbot informed me that* ☞ *some of our seamen have been punished* for attempting to send letters to him to inform of their situation.

"Mr. Liston assured me, that the British officers have orders not to impress any American seamen, and of course not to retain against their will any already impressed: but ☞ *if they persist in obstructing every channel of information and proof of their citizenship, such orders are, and will continue, deceptive.*"

Extract of a letter from Rufus King, minister plenipotentiary of the United States, to the secretary of state.

London, March 15, 1799.

"I mentioned our dissatisfaction with the continuation of the practice of taking out of our ships, met on the main ocean, such of their crews as did not possess certificates of American citizenship; denying, as I had often done, in former conferences, upon the same subject, any right on the part of Great Britain, upon which the practice could be founded; and suggesting that ☞ *our ships of war, by permission of our government, might, with equal right, pursue the same practice towards their merchantmen.*

"That not only seamen who spoke the English language, and who were evidently English or American subjects, but also ALL DANISH, SWEDISH, AND OTHER FOREIGN SEAMEN, WHO COULD NOT RECEIVE AMERICAN PROTECTIONS, WERE INDISCRIMINATELY TAKEN FROM THEIR VOLUNTARY SERVICE IN OUR NEUTRAL EMPLOY, and forced into the war in the naval service of Great Britain.

"That on this subject ☞ WE HAD AGAIN AND AGAIN OFFERED TO CONCUR IN A CONVENTION, WHICH WE THOUGHT PRACTICABLE TO BE FORMED, AND WHICH SHOULD SETTLE THESE QUESTIONS IN A MANNER THAT WOULD BE SATISFACTORY FOR ENGLAND AND SAFE FOR US.

"That to decline such a convention, and to persist in a practice which we were persuaded could not be vindicated, especially to the extent it was carried, seemed less equitable and moderate than we had a right to expect.

"Lord Grenville stated no precise principle upon which he supposed this practice could be justified: and the conversation upon this point, like many others upon the same subject, ended without a prospect of satisfaction. ☞ *The French and Spaniards, and every other nation, might pursue the same conduct as rightfully as Great Britain does.* With respect ☞ *to foreign seamen in our employ, this government has, if I recollect, yielded the point,* ☞ *though their own officers continue the practice.* We are assured all Americans shall be discharged on application for that purpose, and that orders to this effect have been given to their naval commanders; but ☞ *this is far short of satisfaction—indeed,* TO ACQUIESCE IN IT, IS TO GIVE UP THE RIGHT."

I beg the reader will most carefully and attentively peruse the second and third paragraphs of the preceding document.

The second confirms the statement made by Mr. Pickering, when he was secretary, that ☞ *Danes, Swedes and other foreigners were impressed out of our vessels*—and utterly contradicts and disproves his recent declaration, that ☞ *the impressment of our seamen arose from the difficulty of discriminating between an Englishman and an American.* What a farcical procedure it would be, to seize by mistake upon Danes, and Swedes, and Portuguese, as Englishmen!

But the fact established by the third paragraph is still more important. It is, that this country ☞ "*had again and again offered to settle these questions in a manner that would be satisfactory for England and safe for the United State.*" And further, that "England had declined such a convention." And yet Mr. Pickering has confidently stated the contrary, in direct opposition to the fact, and to his own knowledge and experience.—

"Our government well know, that Great Britain ☞ *is perfectly willing to adopt any arrangement that can be devised that will secure to her service the seamen who are her own subjects, and at the same time, exempt ours from impressment.*"*

"*No man who regards the truth* ☞ *will question the disposition of the British government to adopt any arrangement that will secure to Great Britain the service of her own subjects.*"†

These facts scorn the aid of comment. The dullest and most Bœotian reader must be struck with the astonishing contradiction and inconsistency they display.

With Mr. Pickering I am almost wholly unacquainted. He is far advanced in years—and has held the highest and most confidential offices. He has been honoured with the regard and esteem of the party to which he belongs, of whom he is considered as one of the leaders. He has asserted of himself,

"I may claim some share of attention and credit—that share which is due to the man who defies the world to point, in the whole course of a long and public life, at one instance of deception—at a single departure from truth.'‡

I call on him and his friends, to reconcile the above statements with the facts of the case. It will give me pleasure if he can, at the close of his long career, justify himself on this point to his own conscience, and to his country, before whose bar I thus solemnly cite him.

One other observation, and I dismiss this letter.—Mr. King explicitly states, and with perfect justice, that to acquiesce in the surrender of our seamen being a satisfaction for the injury, is ☞ *to admit the right of impressment*, against which he most zealously and patriotically contended.

Extract from a report of Timothy Pickering, esq. secretary of state, to Congress.

Dec. 9, 1799.

"Admiral Parker paid no attention to the agent's application on behalf of our impressed seamen; the admiral having determined, and informed the agent of the determination, that no proofs would be regarded by him, unless specially presented by the American government through the British minister; *nor then but in the single case of native Americans.* Under this determination there will be detained, not only the subjects of his Britannic majesty, naturalized since the peace of 1783; but all who, born elsewhere, were then resident in, and had become citizens of the United States; also, ☞ *all foreigners, as Germans, Swedes, Danes, Portuguese, and Italians, who voluntarily serve in the vessels of the United States. And it is a fact that* ☞ SUCH FOREIGNERS HAVE FREQUENTLY BEEN IMPRESSED; *although their languages and other circumstances, demonstrate that* ☞ THEY WERE NOT BRITISH SUBJECTS."

Here again we have Timothy Pickering, secretary of state, *versus* Timothy Pickering, senator of the United States. As secretary, he bears the strongest testimony on

* Letter of the hon. Timothy Pickering to his excellency James Sullivan, governor of Massachusetts, page 13.

† Idem, page 8. ‡ Idem, page 9.

the subject of the latitudinarian principles on which impressment is conducted.

The subject strikes me in a new point of light. An American vessel is met at sea by a British frigate.—The crew are brought trembling before that right reverend and worshipful magistrate, the boatswain's mate. ☞ All who *cannot speak plain English are seized;—as, being French, Germans, Danes, Italians, or Hottentots, they cannot be natives of the United States*, and are not therefore entitled to protection from our flag. This scrutiny is soon over. Another then takes place. And ☞ *of those who speak plain English, he seizes as many as he supposes, or pretends to suppose, to be British subjects!!!* And yet we have men in high stations who defend this practice! Would to God that ☞ *every man who is an advocate for impressment*, were himself impressed and enslaved on board a British man of war, with a cat-o'-nine tails to his back, to punish his refractory spirit, in case he dared to complain!

Extract of a letter from John Marshall, Esq. secretary of state, to Rufus King, Esq. Minister Plenipotentiary of the United States at London, dated

Department of State, Sept. 20, 1800.

"*The impressment of our seamen is an injury of very serious magnitude, which deeply affects the feelings and the honour of the nation.*

"This valuable class of men is composed of natives and foreigners, who engage voluntarily in our service.

"No right has been asserted to impress the *natives of America.* ☞ *Yet they are impressed;* ☞ *they are dragged on board of British ships of war, with evidence of citizenship in their hands, and* ☞ *forced by violence there to serve, until conclusive testimonials of their birth can be obtained.* These must most generally be sought for on this side of the Atlantic. *In the mean time,* ☞ ACKNOWLEDGED VIOLENCE IS PRACTISED ON A CITIZEN OF THE UNITED STATES, BY COMPELLING HIM TO ENGAGE AND CONTINUE IN FOREIGN SERVICE. Although the lords of the admiralty uniformly direct their discharge on the production of this testimony; ☞ YET MANY MUST PERISH UNRELIEVED, AND ALL ARE DETAINED A CONSIDERABLE TIME, IN LAWLESS AND INJURIOUS CONFINEMENT.

"It is the duty, as well as the right, of a friendly nation, to require that measures be taken by the British government to prevent the continued repetition of such violence by its agents. This can only be done by punishing and frowning on those who perpetrate it. ☞ THE MERE RELEASE OF THE INJURED, AFTER A LONG COURSE OF SERVING AND SUFFERING, IS NO COMPENSATION FOR THE PAST, AND NO SECURITY FOR THE FUTURE. It is impossible not to believe that the decisive interference of the government in this respect, would prevent a practice, ☞ *the continuance of which must inevitably produce discord between two nations, which ought to be the friends of each other.*

"Those seamen who were born in a foreign country, and have been adopted by this, were either the subjects of Britain or some other power.

"The right to impress those who were British subjects has been asserted; and the right to impress those of every other nation has not been disclaimed.

"*Neither the one practice nor the other can be justified.*

"With the naturalization of foreigners, no other nation can interfere, further than the rights of that other are affected. The rights of Britain are certainly not affected by the naturalization of other than British subjects. Consequently those persons, who, according to our laws, are citizens, must be so considered by Britain, and every other power not having a conflicting claim to the person.

"☞ THE UNITED STATES, THEREFORE, REQUIRE POSITIVELY, THAT THEIR SEAMEN WHO ARE NOT BRITISH SUBJECTS, WHETHER BORN IN AMERICA OR ELSEWHERE, SHALL BE EXEMPT FROM IMPRESSMENT.

"The case of British subjects, whether naturalized or not, is more questionable; ☞ *but the right even to impress them is denied.* The practice of the British government itself, may certainly, in a controversy with that government, be rallied on. *The privileges it claims and exercises, may certainly be ceded to others.* ☞ *To deny this would be to deny the equality of nations, and to make it a question of power and not of right.*

"If the practice of the British government may be quoted, that practice is to maintain and defend in their sea-service all those, of any nation, who have voluntarily engaged in it, or who, according to their laws, have become British subjects.

"*Alien seamen, not British subjects, engaged in our merchant service, ought to be equally exempt with citizens from impressments:* we have a right to engage them, and have a right to, and an interest in, their persons, to the extent of the service contracted to be performed. ☞ *Britain has no pretext of right to their persons or to their service.* ☞ TO TEAR THEM, THEN, FROM OUR POSSESSION IS AT THE SAME TIME AN INSULT AND AN INJURY. ☞ IT IS AN ACT OF VIOLENCE FOR WHICH THERE EXISTS NO PALLIATIVE.

"*We know well that the difficulty of distinguishing between native Americans and British subjects, has been used with respect to natives, as an apology for the injuries complained of.* It is not pretended that this apology can be extended to the case of foreigners; and, with respect to natives, we doubt the existence of the difficulty alleged. We know well that among that class of people called seamen, we can readily distinguish between a native American, and a person raised to manhood in Great Britain or Ireland; and we do not perceive any reason why the capacity of making this distinction should not be possessed in the same degree by one nation as by the other.

"If therefore no regulation can be formed which shall effectually secure all seamen on board American merchantmen, ☞ *we have a right to expect from the justice of the British government, from its regard for the friendship of the United States and its own honour, that it will manifest the sincerity of its wishes to redress this offence, by* ☞ *punishing those who commit it.*

"We hope, however, that an agreement may be entered into, satisfactory and beneficial to both parties. The article which appears to have been transmitted by my predecessor, while it satisfies this country, will probably restore to the naval service of Great Britain a greater number of seamen than will be lost by it. Should we even be mistaken in this calculation, yet *the difference cannot be put in competition with the mischief which may result from the irritation justly excited by this practice, throughout the United States.* The extent and justice of the resentment it produces, may be estimated in Britain by inquiring ☞ *what impressions would be made on them by similar conduct on the part of this government.*

"☞ *Should we impress from the merchant service of Britain not only Americans but foreigners, and even British subjects, how long would such a course of injury unredressed be permitted to pass unrevenged? How long would the government be content with unsuccessful remonstrance?* I believe, sir, that only the most prompt correction of, or compensation for, the abuse, would be admitted as satisfaction in such a case.

"If the principles of this government forbid it to retaliate by impressments, there is yet another mode which might be resorted to. We might

authorise our ships of war, though not to impress, yet to recruit sailors on board British merchantmen. Such are the inducements to enter into our naval service, that we believe even this practice would very seriously affect the navigation of Britain—Now, sir, would it be received by the British nation?

"Is it not more advisable to desist from and to take effectual measures to prevent an acknowledged wrong, than by perseverance in that wrong ☞ *to excite against themselves the well-founded resentment of America, and force our government into measures which may very possibly terminate in open rupture?*"

Extract of a letter from Rufus King, Esq. to the secretary of state, dated London, February 23, 1801.

"The progress which had been made in our negotiation with this government, was such as must have brought it to a speedy conclusion, had not a change taken place in the department of foreign affairs; that the result would in the main have been satisfactory, is more than I am authorised to say, although I flattered myself with the hope that it would be so. Lord Hawkesbury assures me that he will give to the several subjects, which have been pretty fully discussed, an early and impartial consideration: and I am in hopes that lord St. Vincent will likewise be inclined to attend to our reiterated remonstrances against the impressment of our seamen, and the vexations of our trade."

CHAPTER XXXIV.

Mr. Liston's project of a Convention respecting Deserters. Objected to by Mr. Pickering, Mr. Stoddard, Mr. Wolcott, and Mr. M'Henry. Rejected.

In the year 1800, Mr. Liston, the British minister, submitted to Mr. Adams, president of the United States, a *projet* of a treaty for the mutual delivery of deserters, of which I annex the seventh and ninth articles, being those which alone bear on this subject.

7. "It is, however, understood, that this stipulation is not to extend to authorise either of the parties to demand the delivery of any sailors, subjects, or citizens, belonging to the other party, who have been employed on board the vessels of either of the respective nations, and who have, in time of war or threatened hostility, voluntarily entered into the service of their own sovereign or nation, *or have been compelled to enter therein, according to the laws and practice prevailing in the two countries respectively.*

9. "It is, however, understood, that no stipulation in this and the foregoing article shall be construed to empower the civil or military officers of either of the contracting parties forcibly to enter into *the public ships of war*; or into the forts, garrisons or posts of the other party; or to use violence to the persons of the land or sea officers of the respective nations, with a view to compel the delivery of such persons as may have deserted from the naval or military service of either party as aforesaid."

This *projet* was submitted to the heads of departments, and to the attorney General, for their opinions, which I subjoin.

From Timothy Pickering, Esq. secretary of state, to President Adams.

February 20, 1800.

"The secretary has the honor to lay before the president Mr. Liston's note of the 4th February, together with his projet of a treaty for the reci-

proval delivery of deserters; ☞ which appears to the secretary utterly inadmissible, UNLESS IT WOULD PUT AN END TO IMPRESSMENTS—which Mr. Liston seemed to imagine—while the seventh paragraph of his project expressly recognises the rights of impressing British subjects, and consequently American citizens as at present."

B. Stoddard, Esq. secretary of the navy, to the President.

February 26, 1800.

"The secretary of the navy is clearly of opinion, that ☞ it is better to have no article, and meet all consequences, than not to enumerate merchant vessels on the high seas, among the things not to be forcibly entered in search of deserters."

Oliver Wolcott, Esq. secretary of the treasury, to the President.

April 14, 1800.

"The project of a treaty proposed by the minister of his Britannic majesty, for the reciprocal delivery of deserters from the land and naval service, ☞ does not sufficiently provide against the impressment of American seamen; and is therefore deemed inadmissible."

As a substitute for Mr. Liston's first article, Mr. Pickering proposed the following:

"It is, however, understood that nothing in these stipulations shall be construed to empower the civil, military or naval officers of either of the contracting parties, forcibly to enter into the territory, forts, posts, ☞ or vessels of the other party—or to use violence to the persons of the commanders or the officers of the forts, posts, or vessels of the other party, with a view to compel the delivery of such persons as shall desert as aforesaid."

This article was intended fully to secure, from impressment, even in our private as well as public vessels, not merely our own citizens, but also the subjects of Great Britain; in a word, to put an end entirely to the practice of impressment on board our vessels.

Mr. Wolcott, secretary of the treasury, proposed a substitute for the article objected to, still more clearly and explicitly annihilating the pretensions of England to impress seamen of any description on board our vessels.

"It is, however, understood, that nothing in the foregoing stipulations shall be construed to empower the civil or any other officers, of either party, forcibly to enter the forts, posts, or any other place within or under the jurisdiction of the other party; nor to empower the naval commanders or other officers of either party forcibly to ☞ enter any public or private vessels of the other party, on the high seas, with a view to compel the delivery of any person whatever: on the contrary, it is expressly declared to be the understanding of the contracting parties, that the mutual restitutions of persons claimed as deserters, shall only be made by the free and voluntary consent of the military officers employed in the land service, or the commanders of the public or private ships or vessels of the two parties, or in pursuance of the decisions of the courts, judges or other competent civil officers of the two nations, in all cases arising within their respective jurisdictions."

O. WOLCOTT.

James M'Henry, Secretary at War, to the President.

"The secretary thinks the project of Mr. Liston may be substantially accepted, except the 7th article, which seems to provide that the United States shall not demand the delivery of any sailors, although their citizens, if they have been employed in British vessels, and who have, in time of

war or *threatened hostilities*, voluntarily entered into the British service, or have been compelled to enter therein, according to the law and practice prevailing in Great Britain. This article is very inaccurately expressed; for it says, "employed or entered into the service of their own sovereign or nation, or have been compelled to enter therein," &c. ☞ *If this article means, what it is apprehended it does, it is wholly inadmissible.* It establishes a principle reprobated by this country. The counter projet of the secretary of state, in substance meets the secretary's approbation; but it is submitted, whether the adoption of part of the draft by the secretary of the treasury, will not improve it.

"All which is respectfully submitted."

JAMES M'HENRY.

War department, April 18, 1800.

"The attorney general having read and considered the letter of the secretary of state, and the projet of an article drawn by the secretary of the treasury, on the subject of deserters, which are proposed to be sent to the British minister here, expresses his entire approbation of the same."

CHARLES LEE.

April 30, 1800.

CHAPTER XXXV.

Horrors of Impressment, as submitted to Congress by Timothy Pickering, Secretary of State.

To afford a specimen of the treatment of some of the impressed American seamen, whose cases it has become fashionable to treat with indifference, I submit extracts from authentic documents on the subject. It will incontrovertibly appear, that the horrors of this odious and execrable business of impressment have been quintupled by the odious and execrable manner in which it has been conducted.

Extract from the deposition of Eliphalet Ladd, second mate on board the Thomas and Sarah, of Philadelphia, and a native of Exeter, New-Hampshire, ☞ *annexed to a report to congress of Timothy Pickering, Esq. secretary of state.*

Kingston, June 19, 1799.

"Eliphalet Ladd maketh oath, that on Wednesday, the 12th inst. he came on shore with two seamen belonging to said ship, named John Edes and Israel Randol, in order to land a boat load of staves; that a press gang came up and laid hold of John Edes—that one of the press gang named Moody, ☞ *with a broad sword cut this deponent on the forehead, and made a wound of three inches !!!* They then took deponent, together with Edes, and conducted them in different boats on board the Brunswick man of war; that the boat on board of which Edes was, made the ship some little time before the deponent was in: and on deponent's nearing the ship, ☞ *he heard the cries of a man flogging !!!* and on going up the side of the Brunswick, he perceived Edes, who was crying; and addressing himself to the first lieutenant, a Mr. Harris, saying, here is a man who can attest to what I have told you. The lieutenant then laying hold of deponent by the arm, said, ☞ *go along on the quarter deck, you damned rascal you !!!* which deponent accordingly did; that all the impressed men were then examined, and afterwards ordered by the lieutenant into the waist; that when they got there, Edes pulled off his shirt, and ☞ SHOWED DEPONENT HIS BACK, WHICH WAS BRUISED FROM HIS SHOULDERS TO HIS

HIPS!!! He then informed ☞ *he had just been whipped with ropes ends!!!* as deponent was going up the ship's sides, by the boatswain and his mates, by orders of the lieutenant; that deponent remained on board the Brunswick all that day and the next night, ☞ *during which no surgical or medical assistance was given to the wound he had received on his head, nor to the bruises of the said Edes,* who ☞ *during the night called out several times from extreme pains, and the next morning was barely able to move himself;* that between nine and ten o'clock the next morning, the whole of the impressed men were again ordered on the quarter deck, and stationed, except deponent and Edes; that while the examination was going on, the captain of the Thomas and Sarah was coming on board; but was prevented by the lieutenant, who ordered the centinel to keep him off: that at about eleven o'clock the captain of the Brunswick came on board, and at three o'clock deponent was discharged, but Edes retained. ELIPHALET LADD."

Sworn before
William Savage, Justice of the peace, &c.

Further extract from the preceding report of Timothy Pickering, Esq. secretary of state, to Congress.

Richard Carter, of the Pomona, of Portsmouth, impressed at the same time with Ladd and Edes, among other items of his deposition, swore—" he was violently forced into a boat, and ☞ STRUCK TWICE WITH A DRAWN CUTLASS by one of the officers of the press gang; and two men with pistols placed over this deponent, who ☞ *loaded their pistols in the presence of this deponent, and* ☞ *threatened to blow out his brains if he attempted to move or speak:* and then they carried this deponent, and John Edes, one of the seamen of the ship Thomas and Sarah, an American citizen, whom they had also seized, on board the said ship of war, the Brunswick; and this deponent saith, on getting on board the Brunswick, this deponent and the said John Edes were ordered to go on the quarter deck, where Mr. Harris, the first lieutenant of the said ship, abused this deponent and said John Edes; and gave them in charge to the master of said ship, while he went to look for the boatswain's mate; and soon after returned with the boatswain's mate, whom he ordered to take this deponent and the said John Edes, and to beat them; in obedience to which orders, ☞ *the said John Edes and this deponent were severely beaten, particularly this deponent,* ☞ *the said boatswain's mate doubling a rope of about three inches and a half thick, and* ☞ BEATING THIS DEPONENT WITH GREAT VIOLENCE OVER THE HEAD, FACE, NECK, SHOULDERS, BACK AND STOMACH, UNTIL HE HAD TIRED HIMSELF!!! *and then* ☞ *he gave the same rope to one of the mariners of the said ship Brunswick; and he also severely beat this deponent in the same manner!! and this deponent saith,* ☞ *he received upwards of a hundred blows!! and was thereby greatly bruised, and* ☞ *his face cut, and his stomach, as well internally as externally injured, so that this deponent* ☞ *brought up a quantity of blood for several days.* Sworn before me,

WILLIAM SAVAGE.

To avoid prolixity, I have omitted the residue of this deposition. The deponent was liberated by habeas corpus.

Annexed to this deposition is that of the physician, who attended Richard Carter, who declared, that

" From the situation in which he found the said Carter, he verily believed he had been very severely beaten some days previous, his blood being very much extravasated: and from the appearance of the bruises, it must have been done with a thick rope."

I know not in what terms to pour out my abhorrence and indignation at the abominable scenes depicted in the preceding depositions and narratives. Language fails in the

attempt. Shame, disgrace, dishonour, and infamy, will attend the councils and counsellors of America, for the base submission to such monstrous cruelty. The outrage ought to have been met at the threshold.—Atonement to the sufferers ought to have been made at the public expense, that is, as far as such horrible injuries can be atoned for—and a demand made for re-payment of the money thus employed. If not complied with, full and complete retaliation ought to have taken place.

CHAPTER XXXVI.

Impressment during the administration of Mr. Jefferson. Letter from Rufus King. Arrangement with Lord St. Vincent rejected by Mr. King. Memorials from Salem, New-York, Philadelphia, Baltimore, and Newhaven. Murder of Captain Pearce. Proceedings of Federal Republicans of New-York.

From Rufus King, Esq. to the Secretary of State.

New-York, July, 1803.

"Sir—As soon as the war appeared to me unavoidable, I thought it advisable to renew the attempt to form an arrangement with the British government for the protection of our seamen. With this view, I had several conferences, both with lord Hawkesbury and Mr. Addington, who avowed a sincere disposition to do whatever might be in their power to prevent the dissatisfaction on this subject, that had so frequently manifested itself during the late war: ☞ *with very candid professions, I, however, found several objections,* in discussing the project with the first lord of the admiralty. Lord Hawkesbury having promised to sign any agreement upon the subject that I should conclude with lord St. Vincent, I endeavoured to qualify and remove the objections he offered to our project; and finally, the day before I left London, lord St. Vincent consented to the following regulations.—

"1. No seaman or seafaring person shall, ☞ *upon the high seas, and without the jurisdiction of either party,* be demanded or taken out of any ship or vessel belonging to the citizens or subjects of one of the parties, ☞ *by the public or private armed ships or men of war,* belonging to or in the service of the other party; and strict orders shall be given for the due observance of this engagement.

"2. Each party will prohibit its citizens or subjects from clandestinely concealing or carrying away from the territories or colonial possessions of the other, any seamen belonging to the other party.

"3. These regulations shall be in force for five years, and no longer.

"On parting with his lordship, I engaged to draw up, in the form of a convention, and send him these articles, in the course of the evening, who promised to forward them, with his approbation, to lord Hawkesbury. I accordingly prepared and sent the draft to his lordship, who sent me a letter in the course of the night, stating that on further reflection he was of opinion, ☞ *that the narrow seas should be expressly excepted,* they having been, as his lordship remarked, immemorially considered to be within the dominion of Great Britain; that with this correction he had sent the proposed convention to lord Hawkesbury, who, his lordship presumed, would not sign it before he should have consulted the judge of the high court of admiralty, Sir William Scott.

"As I had supposed, from the tenor of my conferences with lord St. Vincent, that the doctrine of the *mare clausum* would not be revived against us on this occasion, but that England would be content with the limited jurisdiction or dominion over the seas, adjacent to her territories, which is assigned by the law of nations to other states, I was not a little disappointed on receiving this communication; and after weighing well the nature of the principle, and the disadvantages of its admission, ☞ *I concluded to abandon the negotiation rather than to acquiesce in the doctrine it proposed to establish.*

"I regret, not to have been able to put this business on a satisfactory footing, knowing, as I do, its very great importance to both parties. But I flatter myself that I have not misjudged the interests of our country, ☞ *in refusing to sanction a principle that might be productive of more extensive evils than those it was our aim to prevent.*"

This is a most important document, and must never for an instant be overlooked in forming a decision on the question of impressment. Mr. King was united with, and a leader among those men who were lately hunting down Mr. Madison, and preparing the way for anarchy and civil war: and the chief pretence was the stand Mr. Madison made against impressment. Nevertheless, we find that he took the same ground himself—and that it is indisputably true, that more than one half of the miseries of our poor, oppressed, and enslaved seamen are chargeable to his account. And whatever may be the maledictions which his friends are showering down upon Mr. Madison, a double portion of them has been richly earned by Mr. King. For it appears, that had he been so disposed, he might have rescued our sailors from the horrors of slavery, every where but on the narrow seas, which would have greatly abridged their sufferings, as well as our complaints against Great Britain. And yet lately with a most wonderful and hideous degree of inconsistency, he was, as I have stated, persecuting and trying to crush Mr. Madison for the attempt to protect our seamen, in whose favour he formerly displayed such a high degree of solicitude!

To evince how universal has been the indignation of our mercantile citizens against the oppression of, and cruelties perpetrated upon, our seamen, I annex impressive extracts from documents on the subject.

Extract from a Memorial to Congress of the inhabitants of Salem, January 20, 1806.

"Your memorialists are sorry, that other instances of hostile conduct have been manifested by Great Britain, less direct in their nature, but not less derogatory from our sovereignty than those enumerated. ☞ THE IMPRESSMENT OF OUR SEAMEN, ☞ *notwithstanding clear proofs of citizenship*, the violation of our jurisdiction by captures at the mouths of our harbours, and insulting treatment of our ships on the ocean, are subjects worthy of the serious consideration of our national councils; and will, we have no doubt, receive an early, prompt, and decisive attention."

Signed in behalf of the inhabitants, by their authority,

John Hathorne,	Benjamin Crowninshield, junr.
Joseph Sprague,	Joseph White, junr.
Jonathan Mason,	Joseph Story.

Extract from a Memorial of a general meeting of merchants of New-York, Dec. 26, 1815.

"But it is not on account of our pecuniary losses alone that we complain. *The constancy and valour of the seamen of the United States* are justly themes of patriotic exultation. From their connexion with us, ☞ *we consider their cause as our cause;* ☞ *their rights as our rights;* ☞ *their interests as our interests.* ☞ *Our feelings are indignant at the recital of their wrongs.*"

This beautiful and sublime piece of composition, which does equal honour to the head and heart of the writer, is signed by a committee of forty-nine persons, whose names may be seen, page 90 of this work. Many of these gentlemen have betrayed their honour. They have not redeemed the solemn pledge that accompanied this *morceau.* They have most indubitably done all in their power to fasten the horrors of impressment, with adamantine chains, on those illustrious men, "whose cause—whose rights—whose interests—they considered as their own cause,—their own rights—their own interests." For no man beyond the rank of an idiot, can doubt that every step taken to cripple the government—which game they lately played on a large scale—was a step towards laying the nation, tied neck and heels, at the feet of England, to prescribe what terms she pleased, and of course to perpetuate the miseries of impressment.

Extract from the Memorial of the merchants of Philadelphia to Congress, December, 1805.

"*That our seamen should be exposed to the* ☞ MEANEST INSULTS, AND ☞ MOST WANTON CRUELTIES, and the fruits of our industry and enterprize, fall a prey to the profligate, cannot but excite both feeling and indignation, and call loudly for the aid and protection of government."

Some of the gentlemen who signed this petition, stand in precisely the same situation as some of the signers of New-York. The observations made on these—of course apply to those.

Extract from the Memorial of the merchants of Baltimore, dated January 21, 1806.

"Your memorialists will not trespass upon your time with a recital of the various acts by which our coasts and even our ports and harbours have been converted into scenes of violence and depredation—and ☞ *our gallant countrymen oppressed and persecuted.*"

Extract from a Memorial to Congress of the merchants of Newhaven, agreed to February 7, 1806.

"In regard to ☞ THE IMPRESSMENT OF AMERICAN SEAMEN, *your memorialists feel in common with their fellow citizens,* ☞ *a lively indignation at the abuses of power often exercised by British officers upon American citizens.* We have full confidence that ☞ *the government of the United States will adopt and pursue such measures for restraining these injurious proceedings as the honour and interest of the United States may require.*"

After the murder of Captain Pearce, entering the port of New-York, by Captain Whitby, of the Leander, within the

jurisdiction of the United States, there were meetings held in various parts of the country, to express their abhorrence of the outrage. On the 26th of April, 1806, at the Tontine Coffee House in New-York, there was a numerous and very respectable meeting of federalists, who appointed ☞ Rufus King, Ebenezer Stevens, Oliver Wolcott, William W. Woolsey, and William Henderson, to draw up and report a set of resolutions for the occasion. In their report, which was unanimously agreed to, was the following philippic against the administration for permitting IMPRESSMENT, among other grievances.

"Resolved, That the suffering foreign armed ships to station themselves off our harbour, and there to stop, search, and capture our vessels—to ☞ IMPRESS, WOUND, AND MURDER OUR CITIZENS, is a gross and criminal neglect of the highest duties of government; and that an administration which patiently permits the same, *is not entitled to the confidence of a brave and free people.*"

"Resolved, That the murder of John Pearce, one of our fellow citizens, by a shot from a British ship of war, at the entrance of our harbour, and within half a mile of the shore, while he was engaged in peaceably navigating a coasting vessel, laden with provisions for our market, was an act that excites our detestation and abhorrence; *and calls upon our government for the adoption of prompt and vigorous measures to prevent a repetition of such wanton and inhuman conduct, and so flagrant a violation of our sovereignty.*"

Some of my readers may not know—but it is perfectly proper that all should know, that Captain Whitby was brought to trial in England, and *honourably acquitted.* For the murder of Pearce, no atonement has been made. It still cries shame and disgrace on his countrymen.

CHAPTER XXXVII.

Documents on Impressment continued.

Deposition of Isaac Clark.

"I, Isaac Clark, of Salem, in the county of Essex, and commonwealth of Massachusetts, on solemn oath declare, that I was born in the town of Randolph, in the county of Norfolk; have sailed out of Salem aforesaid, about seven years; that on the 14th of June, 1809, I was impressed and forcibly taken from the ship Jane, of Norfolk, by the sailing master (his name was Car) of his majesty's ship Porcupine, Robert Elliott, commander. I had a protection from the custom-house in Salem, which I showed to captain Elliott: ☞ *he swore that I was an Englishman;* ☞ *tore my protection to pieces before my eyes, and threw it overboard,* and ordered me to go to work. I told him I did not belong to his flag, and I would do no work under it. He then ☞ *ordered my legs to be put in irons, and* ☞ THE NEXT MORNING ORDERED THE MASTER AT ARMS TO TAKE ME ON DECK, AND ☞ GIVE ME TWO DOZEN LASHES; after receiving them, he ordered him to keep me in irons, and give me one biscuit and one pint of water for 24 hours. After keeping me in this situation one week, I was brought on deck, and asked by captain Elliot, if I would go to my duty. On my refusing, he ordered me to strip, ☞ *tied me up a second time, and gave me two dozen more,* and kept me on the same allowance another week—then ordered me on deck again, asked if I would go to work. I still persisted that I was an American; and that he had no right to command my services, and I would do no work

on board his ship. He told me he would punish me until I was willing to work; and ☞ *gave me the third two dozen lashes;* ☞ *ordered a very heavy chain put round my neck, (such as they had used to sling the lower yard). fastened to a ring bolt in the deck,* and that no person, except the master at arms, should speak to me, or give me any thing to eat or drink, but one biscuit and pint of water for 24 hours, until I would go to work. I was kept in this situation for nine weeks, when ☞ *being exhausted by hunger and thirst,* I was obliged to yield. After being on board the ship more than two years and a half, and being *wounded in an action with a French frigate,* I was sent to the hospital. When partially recovered, I was sent on board the Impregnable, 98 gun ship. ☞ *My wound growing worse, I was returned to the hospital,* when the American consul received a copy of my protection from Salem, and procured my discharge on the 29th day of April last. There were seven impressed Americans on board the Porcupine, three of whom had entered."

ISAAC CLARK.

Essex, ss. Dec. 23, 1812.

"Then Isaac Clark personally appeared, and made solemn oath that the facts in the foregoing declaration, by him made and subscribed, were true in all their parts—before

JOHN PUNCHARD, } Justices of the peace,
M. TOWNSEND. } and of the quorum.

From Com. Rodgers to the Secretary of the Navy.

U. S. Frigate President, Boston, Jan. 14, 1813.

"Sir—Herewith you will receive two muster books, of his Britannic majesty's vessels, Moselle and Sappho, found on board the British packet Swallow.

"*As the British have always denied that they detained on board their ships of war, American citizens, knowing them to be such, I send you the enclosed, as a public document of their own, to prove how ill such an assertion accords with their practice.*

"It will appear by these two muster books that so late as *August* last, about an *eighth* part of the Moselle and Sappho's crews were *Americans;* consequently, if there is only a quarter part of that proportion on board their other vessels, that they have an infinitely greater number of Americans in their service than any American has yet had an idea of.

"Any further comment of mine on this subject, I consider unnecessary; as the documents speak too plain for themselves. I have the honour to be, &c.

JNO. RODGERS.

"The hon. Paul Hamilton, Secretary of the Navy."

Extract of a letter from Commodore Porter to M. Carey, dated

Washington, July 13, 1815.

"After closing my letter of this morning, I received yours of yesterday; and as the only means of procuring the information required, have consulted Commodore Rodgers, who informs me that there appeared on the muster books of the Moselle and Sappho, the names of from thirty five to forty men, who were reported to the admiralty office, as impressed American seamen. The places of their nativity are also noted. The complement of men for each of these vessels was about 160. With respect, &c. DAVID PORTER.

"I Beekman Ver Plank Hoffman, of the town of Poughkeepsie, do certify, that I am a lieutenant in the United States navy; that I was a lieutenant on board the Constitution in the action and capture of the Java; and was sent on board that vessel; and, after the crew were removed, set her on fire, and blew her up.

"Among the crew of the Java, ☞ THIRTEEN IMPRESSED AMERICAN SEAMEN were found, three of whom had entered the British service, and were left: the other ten were liberated as Americans."

B. V. HOFFMAN.

Poughkeepsie, April 16, 1813.

"Richard Thompson, being sworn, saith that he is a native of New Paltz, opposite Poughkeepsie; that he sailed from Wilmington about the 28th of April, 1810, on board the brig Warren, Wm. Kelly, captain, for Cork. On the homeward passage, in September following, he was impressed and taken on board the Peacock, a British sloop of war, and compelled to do his duty; that while on board that vessel, he made many unsuccessful attempts to write to his friends, to inform them of his situation. He further saith, that after he had heard of the war, himself and two other impressed American seamen who were on board the Peacock, went aft to the captain; claimed to be considered as American prisoners of war; and refused to do duty any longer.

"We were ordered off the quarter deck, and the captain called for the master at arms, and ordered us to be put in irons. We were then kept in irons about twenty-four hours, when we were taken out, brought to the gangway, ☞ STRIPPED OF OUR CLOTHES, TIED AND ☞ WHIPPED, EACH ONE DOZEN AND A HALF LASHES, AND PUT TO DUTY.

"He further saith, that he was kept on board the Peacock, and did duty till the action with the Hornet. After the Hornet hoisted American colours, he and the other impressed Americans again went to the captain of the Peacock, asked to be sent below; said it was an American ship; and that they did not wish to fight against their country. The captain ordered us to our quarters; called midshipman Stone to do his duty; and if we did not do our duty, ☞ TO BLOW OUR BRAINS OUT; "aye, aye!" was answered by Stone, who ☞ *then held a pistol at my breast*, and ordered us to our places. We then continued at our places, and were compelled to fight till the Peacock struck; and we were liberated after about two years and eight months."

his
RICHARD ⋈ THOMPSON.
mark.

Poughkeepsie, April 17, 1813.

Read over and signed } JOSEPH HARRIS,
in the presence of } JOHN S. FRIAR.

Extract from the log book of an officer on board his majesty's ship Guerriere, in the action with the Constitution.

"The Guerriere was a frigate of 1030 tons burden, taken from the French in 1806; and had 302 men and boys belonging to her. There *were ten American seamen on board*, who had belonged to her for some years.—But as the declaration of war against Great Britain was not known when she sailed, there had been no opportunity of discharging them; and captain Dacres considering it as unjust to compel a native of the United States to fight against his countrymen, granted them permission to quit their quarters and go below."

Captain Dacres, in his address to the court martial by which he was tried, states this fact in the following terms:

"*What considerably weakened my quarters, was permitting the Americans belonging to the ship, to quit their quarters* on the enemy hoisting the colours of that nation, which, though it deprived me of the men, I thought it was my duty."

Boston, February 6, 1813.

"Died at Boston, on the 3d instant, on board the frigate President, Godfrey Fyer, seamen, aged 47. The deceased was a native of Rhode-Island, and was one of the numerous instances of impressment, which have been the cause of complaint against the English. He was taken on board an American merchant ship, and though he never voluntarily entered their service, he was detained from his country and his friends *fourteen years*, during which time he was present at seventeen engagements, and gained the reputation of a good seaman and a brave man.

"He at length found means to escape; and on his return to the United States, he immediately shipped on board the President, where he continued until his decease—his conduct receiving the marked approbation of his commanded and the other officers of the frigate. He was interred on Thursday last at Charlestown—his funeral was attended by a lieutenant, eight midshipmen, all the petty officers, and fifty seamen of the ship: and the ceremonies were performed by the chaplain in a manner highly solemn and impressive."

From the Boston Patriot.

"My brother John Cand, of Woolwich, in the District of Maine, was prest on board his majesty's frigate Macedonian, on the 10th of June, 1810, from the ship Mount Hope, of Wiscasset, and was killed on board the Macedonian, in the battle with the United States, Commodore Decatur. A disconsolate wife and child are in mourning and in sorrow, for the loss of a husband and parent, on whom they were dependent."

JOSEPH CAND.

"The following narrative of an impressed American, will show not only the disgraceful manner in which American sailors have been forcibly dragged into a foreign service, but the treatment they receive in consequence of refusing to fight against their country.

"I John Nichols, a native of Durham, state of Massachusetts, relate and say, that I sailed from Portland in the ship Franklin, commanded by James Marks, as chief mate, bound to Liverpool, where we arrived the seventh day of February, 1809. The same day I was taken by a press gang, coming from my boarding house to the ship, and carried by them to the rendezvous, Cooper's Row, and detained one night. The next morning I gave the lieutenant my protection, and at the same time stated to them I was chief mate of the ship; also captain Marks and Mr. Porter, supercargo, came and were refused admittance.

"I then asked the lieutenant for my protection; he answered, ☞ "*I will give it to you with a ball to it;*" and ☞ *immediately tore it up before my face*, and sent me on board the guard ship Princess, where I remained one week, and was then sent round to Plymouth on board the Salvador guard ship; remained there one month, after which I was drafted on board the Aboukir 74, where I remained three years and fourteen days.

"When the war broke out, I determined to give myself up a prisoner of war, let the consequence be what it would. Consequently on the 28th of October, I went to the captain and gave myself up as a prisoner of war, and refused to do any more duty. Then he told me I was an Englishman, and if I would not do duty, he would flog me; and ordered me in irons, and kept me in irons 24 hours, after which I was taken to the gangway, and ☞ *received one dozen with the cat on my bare back.*

"The captain then asked me if I would go to duty. I told him no: I would sooner die first. He then put me in irons again for 24 hours, and ☞ *once more brought me to the gangway*, and ☞ *received as before* with the same questions, and answer as preceded; and ☞ *the same was repeated four days successively*, and ☞ *I received four dozen on my naked back.*

"After the fourth day I was a prisoner at large. The 26th day of December I was sent to prison without my clothes, they being refused me by the captain after abusing me in the most insulting manner: and all I ever received for my servitude was fourteen pounds. During impressment, I have used my best endeavours to escape."

JOHN NICHOLS.

Witness, Jaduthan Upton.

From the Salem Register, July, 1813.

"Captain Upton has furnished us with a list of 128 American seamen, who had been impressed on board British ships of war, and delivered up as prisoners of war, with the places of their nativity, the ships they were discharged

from, the time they have served, and the number of Americans left on board the different ships at the time of their discharge. These were on board one prison ship, the San Antonio. Besides these, there were on board the Chatham prison ship, 320 *men who have been delivered up in similar circumstances.* Many of these poor fellows had been detained more than 15 years, and about 40 of the 128 on board the San Antonio belong to this state."

To the Editors of the National Intelligencer.

"In the month of February, 1797, I belonged to the ship Fidelity, captain Charles Weems, lying in the harbour of St. Pierre's, Martinique. About one o'clock Sunday morning, I was awakened by a noise on the deck, and on going up, found the ship in possession of a press gang. In a few minutes all hands were forced out, and ordered into their boat, and in a heavy shower of rain conveyed on board the Ceres frigate. We were ordered on the gun deck until day light, by which time *about 80 Americans were collected.*

"Soon after sunrise, the ship's crew were ordered into the cabin to be overhauled. Each was questioned as to his name, &c. when I was called on for my place of birth, and answered *Newcastle, Delaware.* The captain affected not to hear the last; but said, "*aye, Newcastle; he's a collier;* the very man. I warrant him a sailor. Send him down to the doctor." Upon which a petty officer, whom I recognised as one of the press gang, made answer, "*sir, I know this fellow. He is a schoolmate of mine, and his name is Kelly. He was born in Belfast. And, Tom, you knew me well enough,* ☞ *so don't sham yankee any more.*" "I thought," says the captain, "he was a countryman of my own; ☞ but an Irishman's all one—take him away."

"The next was a Prussian, who had shipped in Hamburgh, as a carpenter of the Fidelity in September, 1796.—He affected, when questioned, not to understand English, but answered in Dutch. Upon which the captain laughed, and said, "*This is no yankee. Send him down, and let the quarter-master put him in the mess with the other Dutchmen; they will understand him, and the boatswain will learn him to talk English.*" He was accordingly kept.

"I was afterwards discharged by an order from Admiral Harvey, on the application of Mr. Craig, at that time American agent or vice-consul. I further observed that ☞ *full one third of the crew were impressed Americans.*"

JOHN DAVIS, of Abel.

Navy Yard, Oct. 12, 1813.

Copy of a letter from Commodore Decatur to the secretary of the navy.

U. S. ship United States, New London, March 18, 1814.

"Sir—I have the honour to forward to you enclosed, a despatch received by me from captain Capel, the commanding officer of the British squadron before this port, written in reply to an application of mine, for the release of an American seaman, detained against his will on board the frigate Statira.

"Hiram Thayer, born in the town of Greenwich, in the Commonwealth of Massachusetts, was impressed into the naval service of Great Britain, in the month of August, 1803, and detained ever since.

"About six years ago, when the Statira was put in commission, he was transferred to her; and has been constantly on board her to this day.

"I am informed, and in fact it was stated by captain Stackpole to lieutenant Hamilton, who was charged with the flag, that the late general Lyman, our consul at London, made application to the lords commissioners for the discharge of Thayer: but they were not satisfied with the evidence of his nativity.

"John Thayer, the father of Hiram, assures me that the certificate of the selectmen, the town clerk, and the minister of Greenwich, were forwarded some time ago to Mr. Mitchell, the resident agent for American prisoners of war at Halifax; but does not know why he was not released then.

"The son has written to his father, and informed him that on representing his case to captain Stackpole, he told him, "*if they fell in with an American man of war, and he did not do his duty,* ☞ HE SHOULD BE TIED TO THE MAST, AND SHOT AT LIKE A DOG."

"On Monday the 14th inst. John Thayer requested me to allow him a flag, to go off to the enemy, and ask for the release of his son. This I granted at once, and addressed a note to captain Capel, stating that I felt persuaded that the application of the father, furnished as he was with conclusive evidence of the nativity and identity of the son, would induce an immediate order for his discharge.

"The reply is enclosed. The son descried his father at a distance in the boat, and told the lieutenant of the Statira that it was his father; and I understand the feelings manifested by the old man, on receiving the hand of his son, proved beyond all other evidence, the property he had in him. There was not a doubt left on the mind of a single British officer, of Hiram Thayer's being an American citizen. And yet he is detained, not as a prisoner of war, but COMPELLED, UNDER THE MOST CRUEL THREATS, TO SERVE THE ENEMIES OF HIS COUNTRY.

"Thayer has so recommended himself by his sobriety, industry, and seamanship, as to be appointed a boatswain's mate, and is now serving in that capacity in the Statira: and he says there is due to him, from the British government about two hundred and fifty pounds sterling. He has also assured his father that he has always refused to receive any bounty or advance, lest he might afford some pretext for denying him his discharge whenever a proper application should be made for it. I am, sir, with the highest consideration, your most obedient humble servant."

STEPHEN DECATUR.

Extract from captain Capel's letter, enclosed.

On board his B. M. ship La Hogue, off N. London, March 14, 1814.

"Sir—I regret that it is not in my power to comply with your request in ordering the son of Mr. John Thayer to be discharged from his majesty's ship Statira. But I will forward your application to the commander in chief, by the earliest opportunity, and I have no doubt he will order his immediate discharge." I am, &c.

THOMAS CAPEL, *Captain*, &c.

Extract of a letter from Commodore Decatur to the Secretary of the Navy.

New London, May 17th, 1814.

"The enclosed, No. 2, is the copy of a note I addressed to captain Capel of his B. M. ship La Hogue, on the subject of Barnard O'Brien, a native citizen of the United States. In the boat that bore the flag of truce to the La Hogue, the father of the man in question went.

"Captain Capel would not permit him to see his son. He directed my officer to inform me that he would answer my despatch the next day, since when I have not heard from him."

Letter to Captain Capel.

"Sir—At the solicitation of Mr. Barnard O'Brien, whose son is now on board his Britannic Majesty's ship La Hogue under your command, I have granted a flag of truce, conducted by lieutenant Hamilton, with permission for Mr. O'Brien to attend it. His object is to effect the liberation of his son, a native citizen of the United States. He bears with him a copy of the record of the town of Groton in the state of Connecticut, signed by the town clerk and select men, as also a certificate from a number of respectable men in Groton, proving his nativity. With these documents I cannot doubt that he will effect the purpose of his visit."

(*Signed*) STEPHEN DECATUR.

"Sir—We the undersigned take the liberty to solicit your assistance in behalf of Mr. Barnard O'Brien, in obtaining his son's release from the British ship La Hogue, off New London.

"We are well acquainted with the young man, and know him to be an American born citizen. His letter to his father, dated on board the La Hogue, the 24th of March, is sufficient proof of his being on board (which letter will be shewn you.) If you can give any assistance in obtaining his release, either

by letting Mr. O'Brien go to the ship by a flag of truce, or in any other way, it will be considered a particular favour conferred on, sir, your most obedient servants."

Gerard Galley,	Geo. A. Bullemer,
Nath. Kimball,	Ro. S. Avery,
Jos. Tuttle,	Erastus T. Smith.

P. S. The young man's name is Barnard O'Brien, son of Barnard O'Brien, and his wife Elizabeth O'Brien. He was born in the town of Groton, January 30th, 1785. *Extract from the records of the town of Groton.*

A true copy, certified per Amos A. Niles, Town Clerk.

"I certify that Amos A. Niles is town clerk for Groton, and that I believe the above certificate to be a true and correct record of Barnard O'Brien's birth. I do also certify that I have known the said Barnard O'Brien from his youth.

Dated Groton, April 7th, 1814.

NOYES BARBER, *Selectmen for Groton.*

CHAPTER XXXVIII.

Subject of Impressment concluded.

I HAVE NOW, as nearly in chronological order as possible, brought this odious, this detestable subject, to the last act of the drama.

Some of the actors, who stood on high ground in the opening of the piece, sink far below par in this act. They stand in conspicuous stations, and possess great influence on our destinies and those of our posterity. I regard it therefore as an imperious duty to canvass their conduct fully and completely, and to cite them to the bar of the public, which I thus do in the most solemn manner.

Two of the gentlemen to whom I refer, are Timothy Pickering and Rufus King, Esqrs. whose opinions and conduct on this important topic, have been, at different periods, in as direct hostility to each other, as day and night—truth and falsehood.

The reader has seen how laudably, how zealously, how patriotically both these gentlemen, on the subject of impressment, formerly contended for and defended the rights of their country—as well as opposed and struggled against the exorbitant and inadmissible claims of England.

They were lately united with the Otises, the Blakes, the Hansons, and the Websters, who appeared determined to "PUT DOWN"—yes, reader, "PUT DOWN" is the word—it is strong, significant, and unequivocal—I say, "*to put down the administration*" for strenuously insisting on those rights, —for attempting to shield the seaman from the iron grasp of his enslaver.

This is a clear case. I state it in brief. Either Messrs. Pickering and King were extravagant in their demands formerly, and endangered the peace of their country by prefer-

ring exorbitant and unjust claims on a nation, "*the bulwark of our holy religion*,"—"*struggling for her salvation*"—and *fighting the battles of Christendom against Antichrist and his host*"—or they were faithless to that country of late, and were using their best endeavours, for factious purposes, to defeat her in the effort to procure simple justice. There is no other alternative. Let them choose for themselves. Let the public ratify or reject the choice. I merely state the case.

Never was there a more striking or revolting instance of the deleterious spirit of faction—and of its power to deaden all the finer and more honourable feelings of human nature, than this question exhibits. It is disgraceful and humiliating to the human species. High-minded American merchants—possessed of immense fortunes—enjoying in profusion all the luxuries and delicacies this world affords—and owing all these manifold blessings to the labours, the skill, and the industry of our sailors—but ungratefully regardless of the agents by whom they procure them, and blinded by party spirit, regard with calm and stone-hearted apathy the miseries of impressment. They are not merely indifferent to the sufferings of the unfortunate seamen, "*purloined by men-stealers*," from all their humble blessings, and dragging out a miserable existence in slavery of the most galling kind, with a rope's end ready to punish them for murmuring out their sorrows. No. They are not, I repeat, merely indifferent. They throw themselves into the scale of their enemies. They deride the idea of struggling for the security of a few sailors, whom, in the face of heaven and earth, they falsely call vagabonds from England, Ireland, and Scotland, whom our government is wickedly protecting at the hazard of the ruin of their country! Almighty father! To what an ebb is man capable of descending! Let us suppose for a moment that the illustrious Hull, Jones, Perry, Porter, Decatur, M'Donough, or any other of that constellation of heroes, who have bound their country's brows with a wreath of imperishable glory, had been pressed by a Cockburn, their proud spirits subjected to his tender mercies, and crushed by the galling chain and the rope's end! What a scene for a painter—what a subject for contemplation—what a never-dying disgrace to those whose counsels would persuade the nation to submit to such degradation!

There is one strong and striking point of view in which the subject of impressment may be considered, and which really renders the tame acquiescence in it, which is now contended for, pregnant with awful results. ☞ *England has impressed from our ships, Danes, Swedes, and Italians, as well as native Americans.* WE HAVE SUBMITTED TO IT. ☞ *And*

Mr. Pickering, Mr. King, Governor Strong, E. G. Otis, &c. plead in favour of submission. If this be just, what right, I demand, have we to prevent all belligerents whatever, and at all times, from copying the example? ☞ Suppose France, Spain, and Italy, at war. Are not the cruisers of each nation justified in searching our vessels for the subjects of the powers to which they respectively belong, and as fully entitled ☞ *to enslave the Danes, Portuguese, Swedes, and Englishmen on board,* ☞ *as the British cruisers are to enslave Frenchmen, Spaniards, Danes, and Portuguese?* This is a horrible view of the subject, and curdles the blood in my veins. There is no calculating the extent or the enormity of the evil.

I must resume this topic. It is too important to be dismissed in a single paragraph. It deserves volumes. Would to Heaven an abler pen were engaged in the discussion.

That British cruisers have been in the constant habit of impressing, without any scruple, and that they regard it as their right to impress, Danes, Portuguese, Frenchmen, Italians, and all other foreigners found on board our vessels, is true, or Timothy Pickering, Rufus King, and Judge Marshall, have disgraced and dishonoured themselves by asserting most awful falsehoods. To their evidence on the subject, which is detailed above, I refer the reader.

If Great Britain has a right to impress Frenchmen, or Spaniards, or Dutchmen, on board our vessels, France, Spain, and Holland, have an equal right to impress Englishmen. Nothing can be more clear. Let us proceed.

The British captains assert that they find it difficult or impossible to discriminate between Englishmen and Americans. It must be far more difficult for French captains. And they will be still more excusable for any *mistakes*—and for enslaving Americans instead of Englishmen. What a frightful fate has faction prepared for our ill-starred sea-faring citizens!

I have stated that Messrs. Pickering, King, Strong, &c. "contend for submission to impressment." This requires explanation. They do not, it is true, *in words*, contend for impressment. But this was the inevitable result of their late course of proceedings; for as I have already stated, and beg to repeat, they laboured most indefatigably to destroy the present administration, principally for the stand made to put an end to impressment; and the consequence of the violent opposition made to the government on the subject has been to oblige it to postpone the discussion of that important question.

A committee of the legislature of Massachusets was appointed, at a late session, to enquire into the affair of im-

pressment. The object of the appointment was to damn the character of the administration, by diminishing the enormity of this high-handed offence, against which the Levitical law pronounced sentence of death:—

"He that stealeth a man—and selleth him—or if he be found in his hand, he shall be put to death."

It is painful to state—but it is my duty to state to the world—that this committee by no means did justice to the subject. They acted with most palpable partiality. They reported—wonderful to tell—impossible to believe—that at the commencement of the war, the number of impressed Americans belonging to the great commercial state of Massachusetts, on board British vessels of war, was "*only eleven!!!*"*—Yes—reader;—it is really *eleven*—I have read it six times over, to convince myself that I was not mistaken. But it is absolutely true, that a committee of the legislature of Massachusetts did report to that body, that at the commencement of the war, ☞ THERE WERE BUT "ELEVEN" IMPRESSED MASSACHUSETTS SAILORS on board the vessels of his Britannic majesty.

Now, reader, let me request you to consult the preceding documents carefully—and observe

1. That there were ☞ *ten Americans on board the Guerriere*, at the time of her engagement with the Constitution. This is established by the log book of one of her officers.†

2. That ☞ *there were thirteen Americans on board the Java*,‡ when she was captured by Bainbridge.‖

3. That there were on board the Moselle and Sappho, as appears by the muster-books of those vessels, *at least thirty five impressed Americans*.§

4. That these plain facts stand on such ground as neither Timothy Pickering, Rufus King, governor Strong, George Cabot, Harrison Gray Otis, Daniel Webster, or A. C. Hanson will dare to dispute. I hereby publicly challenge them to a denial.

5. That I have thus clearly and indisputably established, that on board of four vessels there were 10, and 13, and 35

* Road to Ruin, No. IV. † See page 211. ‡ See lieutenant Hoffman's certificate, page 210.

‖ It would be unfair and uncandid not to state, that Commodore Bainbridge deposed on the 20th of February, 1815, before a committee of the House of Representatives of the state of Massachusetts, that there was but one impressed American on board the Java, when he captured her. This statement he qualified in a subsequent communication, and, as far as I understand the latter, admits that there were two more. But if we wholly omit the Java, in consequence of the stupendous contradiction between the certificate of lieut. Van Hoffman and the deposition of Commodore Bainbridge, it will not materially affect the above calculation. There will remain about 45 impressed American seamen on board three British men of war.

§ See Commodore Porter's letter, page 210.

American slaves, being ☞ AN AVERAGE OF FOURTEEN TO EACH.

6. That there are about 500 British vessels constantly in commission.

7. That an average of fourteen amounts to 7000 on board the British fleet.

8. That this statement corresponds pretty exactly with the records of the secretary of state's office.

And then, reader, decide what judgment must be passed on the committee when they gravely state that there were on board the British vessels of war *only eleven natives of Massachusetts!!!* It makes me sick to reflect on such obliquity of mind, and such monstrous perversion of fact.

It is, however, true, that this committee, though the world is grossly deceived by the form of expression in the report, have a salvo to prevent establishing against them the charge of falsehood. They state that these are the results "*as far as their enquiries went.*" But this saving clause escapes the mass of readers. They fasten on the strong allegation, that "the administration went to war for impressed seamen; and that there were only *eleven natives of Massachusetts impressed.*" All the rest escapes notice.

"*As far as their enquiries went*" is a very equivocal expression. They may have stopped at the threshold—or they may have gone half way—or they may have gone through the business completely. That their enquiries did not go very far is however pretty certain.

"The words "*American slaves,*" will startle some delicate ears. This strong expression is nevertheless correct.* When an Algerine corsair attacks one of our vessels, and seizes it and the crew, ☞ *the latter are justly regarded as slaves.* ☞ *Yet their case is far better than that of the Americans impressed by British cruisers.* The Algerine slaves work for task-masters. So do the British slaves. The Algerine slaves are flogged if they refuse "to do their duty." So are the British. The Algerine slaves have but poor fare. So have the British. Thus far they are on a parallel. But here the parallel ceases.—☞ *The Algerine slave is never forced to jeopardize his life in battle*—☞ *he is never forced to point a gun that may slaughter his countrymen.* ☞ But this the British slave must do, or ☞ "BE TIED TO THE MAST AND SHOT AT LIKE A DOG!!!"† Is he not then the most miserable of slaves?

* The idea which is dilated on in this paragraph must have been suggested by a perusal of the Weekly Register, Vol. III. page 349. Of this I was not aware when I wrote it. I have recently made the discovery in the examination of that invaluable work.

† See Commodore Decatur's letter, page 213.

When the preceding chapter was written, I had not seen the Report of the Committee of the House of Representatives of Massachusetts, to which I have referred. I own a set of the Examiner, published by Barent Gardenier, of New-York, containing the Road to Ruin, ascribed to Jno. Lowell, which quotes this report, and from which alone I knew of its contents, or even of its existence.—I subjoin Mr. Lowell's quotations—

"I find from indisputable documents furnished by the Rev. Mr. Taggart, member of Congress from this state, that the whole number of American seamen said to be detained at the beginning of the war, on board British vessels, did not exceed three hundred.

"I find by the investigation of a Committee of our own House of Representatives, that the number belonging to this state, so detained, did not exceed, *so far as their enquiries went, eleven men.*"*

On the 4th, inst. [July 1815,] I received the Report itself from Boston: and I should ill deserve the confidence that has been reposed in my work, did I not avail myself of the opportunity thus afforded me to lay an abstract of some of its documents before the reader.

Extract from the deposition of John Eldridge.

"I reside in Yarmouth in the county of Barnstable. I have been the master of a vessel about seventeen years, within the last twenty-four years; and have had on board my vessels from seven to sixteen men; on an average about eight or nine. About the year 1803, while I was lying at Trinidad, in the sloop Stork, one of my men, while on shore, had quitted his boat, and was taken up by the press-gang. His name was William Boynton, and he was, as he told me, an American. The next day I was informed by the officer of the press-gang, that the man was taken, and immediately upon my application on board the ship where he was placed, he was returned to me, with some money he had about him. He had left his protection on board the vessel at the time when he was taken.

"In 1810, while I was at Martinique, a Portuguese boy named Joseph Friay, belonging to my vessel, was impressed from the vessel; he was detained two days, but upon my application he was discharged; he had no protection, nor any indenture of apprenticeship; he was a servant to my mate.

Extract from the deposition of William Parsons.

"I reside in Boston, and have been engaged in commerce and navigation about thirty years. I have employed in my vessels, annually, upon an average, about fifty seamen, until the time of the embargo. ☞ *I have no recollection of any of my seamen being impressed for the last twenty years, except in one instance.*"

Extract from the deposition of Caleb Loring.

"I reside in Boston. I have been engaged in commerce and navigation between eighteen and nineteen years. I have employed upon an average annually, about forty seamen in foreign trade.

* Road to Ruin, No. 4, from the Boston Centinel.—See Examiner, vol. I. p. 107.

"I recollect, at present, *but one instance of any of my seamen being impressed by the British*; in July 1809, two seamen, belonging to the ship Hugh Johnson, while she was lying at Palermo, were taken from her by a British man-of-war; I do not know their names—one of these men was an Englishman, the other was an American."

Extract from the deposition of Moses Townsend, Esq.

"I Moses Townsend, of Salem, in the county of Essex, Esquire, do depose and say—that I have been engaged in commerce and navigation for about thirty years, and was master of a ship about twenty years. I have usually had crews of ten and twelve men, upon an average. I never had any men impressed from any of the vessels under my command, except once while I was at Bristol, in England. On that occasion, I had three or four men impressed, belonging to the ship Lighthorse, under my command; they were taken in the evening, and upon my application through the American consul, they were released the next day."

Extract from the deposition of Joseph Mudge.

"I Joseph Mudge, of Lynn, in the county of Essex, mariner, do depose and say—that I have followed the occupation of a mariner for about twenty years, and have been master of a vessel from the first of January 1800, (except about four months of the year 1812, while I was mate of a vessel, in order to get a passage to the United States from abroad.)

"I have had seamen frequently taken from me by British cruizers; but never had any man that I knew to be an American, taken from me, that was not released upon my application."

Extract from the deposition of Andrew Harraden.

"I Andrew Harraden, of Salem, in the county of Essex, mariner, depose and say, that I have followed the occupation of a mariner about thirty-two years, of which I have been master of a vessel from the year 1791 to this time, excepting two voyages performed during that period. *I have never had any seamen impressed from my vessels except in one instance.* In the year 1802, while at Cape Francois, in the month of August, a man by the name of George Randall, of Boston, was taken from my vessel by a French pressmaster and his gang, and carried on board a French frigate lying at that port. On application to the commandant of the port he was released the next morning. None of my men were ever taken or detained by the English."

Extract from the deposition of Josiah Orne.

"I Josiah Orne, of Salem, in the county of Essex, mariner, depose and say—that I have been master of a vessel about twenty-seven years.

"I never had any men impressed from the vessels under my command by the British except in one instance—that was in 1801."

Extract from Nathaniel Hooper's deposition.

"I Nathaniel Hooper, of Marblehead, merchant, do depose and say—that I have been engaged in commerce and navigation with my father and brothers for about nineteen years past; and for about seven years previous to the embargo, we employed usually upon an average about fifty seamen in our vessels. We have never had any men impressed from any of our vessels, that we know of."

Extract from Benjamin T. Reed's deposition.

"I Benjamin T. Reed, of Marblehead, in the county of Essex, merchant, depose and say—that I have, with my brother, been engaged in trade and navigation for about eighteen years past. Before the embargo, we usually employed two vessels annually, the crews of which would be from twelve to fifteen men—we never had any men impressed from our vessels previous to the embargo, to my recollection."

There are various other depositions annexed to the Report, the tenor and tendency whereof are generally of a similar character to the above.

The contradiction and inconsistency between these documents, and those I have produced in the preceding chapters, are so strong, so striking, and so utterly unaccountable, as to make us stand aghast with astonishment. To reconcile them in any shape or mode is totally impossible. Were we to place full and implicit reliance upon the depositions just quoted, it would almost appear that impressement had been a matter of little or no consequence, and that it had been most extravagantly exaggerated, to delude and deceive the public mind. But then what becomes of the strong and precise statements of Silas Talbot,* of Rufus King,† of Timothy Pickering,‡ of Judge Marshal,§ of commodore Rodgers,¶ &c. witnesses who cannot possibly be suspected of anti-Anglican partialities, views, or prejudices?

If the prevailing opinions of the great extent of impressment be unfounded, and if deception or delusion has been attempted, these gentlemen must have concurred in it, as well as their political antagonists; for their testimony is among the most conclusive that has been produced on the subject.

The statement of commodore Rodgers, respecting the muster books of the Moselle and Sappho, is the most recent document on the subject, and is beyond the reach of suspicion.

To the reader I unhesitatingly submit the subject. Let him, whether Federalist or Democrat, honestly raise the scales of truth and justice—Let him impartially weigh the evidence on both sides, and let him decide according to the credibility of these warring and irreconcilable documents.

In addition to the information contained in the preceding pages, I have now before me a most powerful document on the subject of impressment. It is

"A statement of applications made to the British government on 1538 cases of impressed seamen, claiming to be citizens of the United States, from the eleventh of March 1803, till the thirty-first of August, 1804; by George Erving, agent of the United States for the relief and protection of their seamen."

I subjoin an abstract:

Number of applications, - - - - - - -	1538	
Of which are duplicates of former ones, - -	306	
Original applications, - - - - - - - -		1232
Refused to be discharged, having no documents, -		388
Ordered to be discharged, - - - - - - - - -		437
Said not to be on board the ship specified, - - -		105

* See page 197. † See page 196. ‡ See page 194. § See page 200. ¶ See page 210.

Refused to be discharged, said to have taken the bounty, and entered,	120
Refused to be discharged, said to be married in England,	17
Said to have deserted,	13
Said to have been drowned, or died,	2
Ships, on board of which stated not in commission,	3
Refused to be discharged, said to be British subjects,	49
Refused to be discharged, said to be prisoners of war	2
Do not appear to have been impressed,	6
On board ships stated to be on a foreign station,	22
Ships lost, on board of which were stated to be	6

Refused to be discharged, documents being insufficient, viz.

1. Protections from consuls and vice-consuls,	88
2. Notarial affidavits made in the United States,	15
3. Notarial affidavits made in England,	27
4. Collectors protections,	41
5. Discharges granted from king's ships, they being American citizens,	4
6. Of different descriptions, and which were kept by the impress officers,	35
7. Applications yet unanswered,	163
	1532

This abstract deserves to be read and examined over and over. Every line of it claims the deepest and most serious consideration. It appears that in less than eighteen months twelve hundred and thirty-two persons were impressed out of American vessels, exclusive of the very great number, who, we may reasonably conclude, had no means of conveying their applications for redress to the proper organ. An entire volume might be written as a commentary on this memorial of British outrage and injustice, and of American disgrace and dishonour.

The first item is hideous: three hundred and eighty-three impressed Americans are doomed to remediless slavery, because they were not branded with the mark U. S. or provided with a badge, a pass, a license, or certificate! Suppose commodore Perry, or commodore Macdonough, or commodore Porter, had impressed three hundred and eighty-three men from on board of British vessels, under pretence of their being Americans—(and has the Almighty given any right to a British commodore or admiral beyond what he has vested in an American commodore or admiral?) and suppose Mr. Merry, Mr. Liston, Francis James Jackson, Mr. Rose, or Mr. Foster, had demanded them—and that

our secretary of state had peremptorily refused to surrender them, because they had not the regular brand of G. R. or a proper certificate or protection, would Great Britain have submitted to the slow process of further demanding and waiting for redress? Indubitably not.

One hundred and five were doomed to slavery, by a removal from the vessels in which they were impressed, to others. An easy and summary process, by which the doors of redress are eternally barred with adamantine fastenings.

One hundred and twenty of these sufferers are withheld because they had taken the bounty, or voluntarily entered! In forming an estimate of the justice of this plea, we must not lose sight of the subsequent cruel tragedy acted by order of commodore Berkley, on board the Chesapeake, in order to seize men who had voluntarily entered on board that vessel. If this is not—*give no right—take no wrong*—I cannot divine what deserves the title.

I am tired of this vile, this odious, this detestable subject. It excites to loathing and abhorrence. I must draw to a close. But there is one more point that I must touch upon—and that is, that of the whole number of twelve hundred and thirty-two, there are only forty-nine asserted to be British subjects! The American, who, after these statements, can advocate the atrocious practice of impressment, must be utterly lost to a sense of justice for his countrymen, or regard to the national rights or national honour.

CHAPTER XXIX.

An apology for an egregious error committed by the writer, on the subject of preparation for war. The whole session one continued series of preparations. Nineteen acts bearing strong notes of martial arrangement.

I DEEM it indispensably necessary to correct a most egregious error into which I was betrayed by the haste in which my first edition was compiled and written. I therein enumerated, among the errors of Mr. Madison's administration, the neglect to make due preparation for the war, "previous to the commencement of hostilities." I deeply regret to have cast such a superficial glance at the subject; to have allowed myself to be so grossly deceived; and to have contributed to lead my reader astray. There were ample preparations made, as may be seen by the following list of acts passed during the session of congress, towards the close of which war was declared.

Previous to the declaration of war.

1. An act for completing the existing military establishment. December 24, 1811.

2. An act to raise an additional military force. This act provided for raising ten regiments of infantry, two regiments of artillery, and one regiment of light dragoons, to be enlisted for five years, unless sooner discharged. The infantry amounted to about 20,000 men—the artillery to 4000—and the cavalry to 1000. Jan. 11, 1812.

3. An act authorizing the purchase of ordnance and ordnance stores, camp equipage, and other quarter-master's stores and small arms Jan. 14, 1812.

4. An act authorizing the president of the United States to accept and authorize certain volunteer military corps, not to exceed 50,000 men. For this purpose there was an appropriation of 1,000,000 dollars. Feb. 6, 1812.

5. An act appropriating 108,772 dollars for the expenses incident to six companies of mounted rangers. Feb. 20, 1812.

6. An act making appropriations for the support of the military establishment of the United States for 1812, viz.

For the pay of the army	869,968
Forage	104,624
Subsistence	685,000
Clothing	293,804
Bounties and premiums	70,000
Medical department	50,000
Ordance and ordnance stores	1,135,000
Fortifications	296,049
For the quarter-master's department	735,000
For purchase of horses	150,000
Contingencies	50,000
Indian department	164,500
Militia of Louisiana, &c.	32,000
Passed Feb. 21, 1812.	$4,635,945

7 An act making appropriations for the support of an additional military force:

For pay	1,406,857
Forage	154,435
Subsistence	1,074,097
Clothing	863,244
Bounties and premiums	442,260
Horses for dragoons	282,000
Quarter-master's department,	408,760
Medical department	125,000
Contingencies	355,911
Passed Feb. 12, 1812.	$5,112,564

8. An act making appropriations for the support of the navy of the United States, for 1812.

Pay and subsistence	$1,122,341
Provisions	559,757
Medicines	40,000
Repairs of vessels	315,000
Freight, store-rent, &c.	115,000
Navy yards, &c.	60,000
Ordnance and ordnance stores	280,000
Saltpetre, sulphur, &c.	180,000
Pay and subsistence of marine corps	154,346
Clothing for marine corps	49,281
Military stores for do.	1,777
Medicines, &c.	3,501
Quarter-master's stores	20,000
Passed Feb. 24, 1812.	$2,902,002

9. An act making a further appropriation for the defence of our maritime frontier. This act appropriated for the purpose, $500,000. Passed March 10, 1812.

10. An act for a loan of $11,000,000 for defraying the above expenses. Passed March 14, 1812.

11. An act concerning the naval establishment, for repairing the frigates Constellation, Chesapeake, and Adams. For this purpose there was appropriated $300.000.

By this act there was an appropriation made of $200,000 annually, for three years, for the purchase of a stock of timber for ship-building. The first appropriation was for rebuilding the frigates Philadelphia, general Greene, New-York, and Boston. Passed March 30, 1812.

12. An act in addition to the act to raise an additional military force. Passed April 8, 1812.

13. An act to authorize a detachment from the militia of the United States, to the amount of 100,000 men. This act contained a clause appropriating one million of dollars towards defraying the expenses to accrue under it. Passed April 10, 1812.

14. An act for the organization of a corps of artificers. Passed April 23, 1812.

15. An act for the better regulation of the ordnance. Passed May 14, 1812.

Subsequent to the declaration of war.

16. An act for the more perfect organization of the army of the United States. Passed June 26, 1812.

17. An act making a further appropriation for the defence of the maritime frontier, and for the support of the army of the United States. Passed July 5, 1812.

18. An act making additional appropriations for the military establishment, and for the Indian department. Passed July 6, 1812.

19. An act making further provision for the army of the United States. Passed July 6, 1812.

It therefore appears, that nearly the whole session was spent in making preparations for hostility—for offensive and defensive operations. I shall not easily forgive myself the very extraordinary error, of which I have acknowledged myself guilty on this subject. I shall regard it as a monition as long as I live, against precipitate decision. And may I take the liberty of hinting to the reader, whoever he be, that he may perhaps derive a useful lesson from the fact? If, with the attention I have been in the habit of paying to public affairs—reading two or three newspapers every day—and perfectly convinced of the justice of the war—I have nevertheless fallen into such a palpable, such a monstrous error, on so plain a point—if I have brought so unjust an accusation against the congress who declared war—how difficult must it be for persons remote from opportunities of judging correctly, and liable to be misled by interested or factious men, to form accurate opinions?

A further and most convincing proof of the magnitude of the error which I committed, is to be found in the circumstance that on the 12th of July, 1812, only twenty-four days after the declaration of war, general Hull, at the head of two thousand five hundred men, well appointed, had penetrated into Canada: and, had the same talent and bravery that displayed themselves at Yorktown, Chippewa, Bridgewater, the Sarenac, New-Orleans, and other places, presided over its movements, there is no doubt that in the first campaign, the whole of Upper Canada, and perhaps Lower Canada too, with the exception of Quebec, might have been subdued. This army had 3750 muskets, 36 pieces of cannon, 1080 rounds of fixed ammunition for the cannon, 200 tons of cannon ball, 150 tons of lead, 75,000 musket cartridges made up, &c. &c. &c.*

Let it be borne in mind, that among the heinous charges on the subject of the war, against the administration, the want of due preparation has been the most prominent. We here see how utterly fallacious and unfounded is the allegation.

* See Weekly Register, vol. 3, page 93.

CHAPTER XI.

Reproaches of the minority against the imbecility of the majority. Pernicious consequences of newspaper misrepresentations. British deceived by their friends.

While the serious preparations detailed in the preceding chapter were going forward, the federal printers throughout the union were pretty generally and zealously employed in ridiculing the idea of war—persuading the public that all these measures were illusory and intended to intimidate the British ministry—and that our government possessed neither the courage nor the means to venture on hostility.

I have already quoted the notorious declaration made by several members of congress, particularly Mr. Josiah Quincy, that "*the majority could not be kicked into war.*"—

This course of proceeding is not easily accounted for. It must have had some motive. And it requires an extraordinary degree of charity to ascribe it to a motive either laudable or patriotic.

Suppose, for a moment, that our rulers did not really mean war—that they were actually destitute of the means of carrying it on—that they were "*too cowardly to be kicked into it*"—was it wise, was it prudent, was it honourable, was it politic, to blazon our deficiencies to the world—to assure England that she might safely, and with impunity, continue the perpetration of her outrages on an unoffending neutral, because that neutral could not be *kicked into war to resist these outrages?* Surely not.

In pursuance of the plan I have followed throughout this work, of establishing all points of importance by indisputable evidence, I subjoin a few of the paragraphs to which I refer. They will satisfy even the most incredulous reader.

Smoke! Smoke!

"Our correspondent suggests, that in the event of certain measures already taken by the executive failing, then to augment the force by new levies—or by forming ten corps of 1200 men each, to be selected from the militia of a certain age of the several states, who may volunteer for such corps during the war. It is to us a most astonishing and inconceivable thing, that on reading the above, any man should be alarmed, and think our government are about to take *decisive steps.* Will our administration never be understood? Shall we forever be the dupes of a contemptible farce, which has been exhibiting for years, to make people wonder and stare. My life on it, our executive have no more idea of declaring war than my grandmother." Boston Repertory, Jan. 9, 1810.

"*Our government will not make war on Great Britain;* but will keep up a constant irritation *on some pretence or other,* for the sake of maintaining their influence as a party. The more the public suffer, the more irritable they will be: and government will trust to their address to direct that irritability against Great Britain." Boston Repertory, April 17. 1810.

"The 25,000 men bill passed congress—and in this city [New-York] the sensation produced by it was not half equal to that which was caused by the governor's notice of banks. Mr. Gallatin recommended a whiskey tax, &c. and every body laughed to think what a queer thing it was for a man, who had figured so much in the whiskey insurrection, to be the author of such a measure. The New-York Gazette, however, still graced its columns, and we too sometimes with "for Liverpool—for London," &c. &c. The committee of ways and means at last come out with their pandora's box of taxes. *Yet nobody dreams of war.* The mechanics, the banks, nay, the insurance offices go on as usual. Last of all 11,000,000 of dollars—*Still no alteration of the public pulse*—no concern by friend or foe of administration. All is well! In the name of wonder, how or why is all this! Exposed as the city of New-York is, why this security, this apathy? *Are all the proceedings of government a farce*, and that so palpable a one as to be understood by the most stupid? Or what is the reason that not the slightest anxiety is felt by ourselves. If government is in earnest, why have they not, why do they not proceed more rapidly? *Why is our shipping permitted to run into certain capture? Either the government is most false and hypocritical, or the people out of their senses!*" New-York Evening Post, Feb. 1812.

"When I see such a palpable failure in all the means, natural and necessary, for carrying on the war—when I see the exposure of your sea board—when I see the actual military force, instead of being increased in efficiency, in fact reducing, *neither promises, nor asseverations, nor oaths, shall make me believe that you will go to war at the end of ninety days. Opposeit nature.* Nature has decided against you. Instead of that feast of war, to which we were invited, at the beginning of the session, we have served up to us the old dish of restrictions. There is no need of prophecy to tell the result. At the end of ninety days, you will find that your preparation is not sufficient. *The horrors of war will be preached up very assiduously during our recess.* Familiarity with embargo will diminish its dread. The restrictive system becomes identified with some personal, local, paltry interest. The navigating states are sacrificed: and the spirit and character of the country are prostrated in the dust, by fear or by avarice." Mr. Quincey's speech on the embargo, April 3, 1812.

"The project of attacking Canada is now given up. Some other plan is to be devised." Philadelphia Gazette, Jan. 30, 1812.

"They [the leaders in congress] have already gone far enough in war. ☞ They are conscious they *cannot commence, prosecute, and terminate a war*; that the hands which begin, will never finish it. *They shrink from it. They already stagger under the weight.*

"*They are frightened as the aspect becomes a little serious*, and wish to go home, and think of it." Philadelphia Gazette, Jan. 10, 1812.

"If you think a vote to raise 25,000 men, looks like war, ☞ *quiet your apprehensions.* You do not understand what is here called management. THERE WILL, AS I BELIEVE, BE NO WAR. ☞ *The war-whoop, the orders in council, the non-importation, and presidential caucusing will vanish before summer.*" Baltimore Federal Gazette, as quoted in the Philadelphia Gazette, Jan. 13, 1812.

"I tell you James Madison will not dare to march a man to Canada with the avowed spirit of warfare—not a man, sir—no—not one—in our present defenceless state. ☞ *So no more of this dream.*" Philadelphia Gazette, Jan. 27, 1812.

"We are firmly persuaded, that the majority in congress ☞ *do not mean to declare war at present*; THAT THEY DARE NOT; and that all their threats are but ☞ *contemptible vapouring*, which will die away like the vapourings of a drunken man, before they rise." Boston Repertory, Dec. 24, 1811.

"It is amazingly mal-a-propos, and moreover very vexatious, that while our centinels of public liberty are legislating away in "the full tide of successful experiment" at Washington, ☞ *their well-laid plans are failing every*

where ☞ *the two main sinews of their darling war, appear to be most miserably relaxed.* ☞ NEITHER MEN ARE TO BE HAD—NOR MONEY TO PAY THEM." Alexandria Gazette, as quoted in the Philadelphia Gazette, May 14, 1812.

This paragraph was published only five weeks before the declaration of war. It was, with hundreds of others of similar character, calculated to keep up the delusion to the last, at home and abroad.

During the period when these paragraphs were publishing in our Gazettes, I felt the most serious uneasiness on the subject. I believed their effect would be to produce war. I repeatedly expressed my fears on the subject. I was convinced that they would delude England into a belief, that she might laugh our efforts to scorn—and that she would persevere in her obnoxious course till we were finally "*kicked into war.*" Among other gentlemen to whom I communicated my apprehensions on this subject, were James Milnor, Adam Seybert, and William Anderson, Esqrs. then representatives in congress from this state. It was in the gallery of the house of representatives, and, as far as I recollect, early in May, 1812.

The efforts to spread this delusion were not confined to this side of the Atlantic. No. The same industry was employed in letters to correspondents in England and Ireland, which made their appearance in the public papers in those kingdoms. Never was more application employed on any subject—and never was application more unholy or pernicious.

I submit an extract from one of those letters, to the reader. It is a fair specimen of hundreds which really appear to have been dictated by ☞ *the most serious apprehensions lest the British should relax, and* ☞ LEST WE MIGHT THUS ESCAPE WAR.

From the Londonderry Journal, June 16, 1812.

Extract of a letter to a gentleman in this place, dated

Philadelphia, May 8, 1812.

"You will perceive by the copy of a bill which I enclose, that we Americans are "*at our dirty work again.*" But ☞ *I advise you not to be alarmed at the violence of our proceedings.* ☞ *We shall continue to bluster.* ☞ *This is our characteristic.* ☞ *And we would do more, if we could.* ☞ *But it is not in our power.* ☞ *We have not a dollar in the treasury—*☞ *no army deserving the name of one—*☞ *and are actually without a navy.* Added to this, ☞ *not a moiety of the loan of eleven millions will ever be procured.*"

I wish the reader, before he closes this chapter, to weigh well its contents. Let him dive into the most profound recesses of the human heart. Let him try to discover the main spring that dictated paragraphs and letters, fraught with such ruinous consequences to both nations.

The effect of this vile course of proceeding was highly pernicious in two points of view, widely different from each other. It fatally held out every possible encouragement to the British ministry to persevere in the career of depredation on American commerce, and utter disregard to and violation of the rights of sovereignty of the United States. It was, moreover, calculated to goad, and I have no doubt did contribute to goad, our rulers into war.

Reader, let me illustrate this point by a plain case which occurs in our streets every day. Two boys have a quarrel—but are not very willing to come to an open rupture, lest their eyes, and noses, and mouths, should suffer violence in the affray. Some of the humane spectators pat them on the backs, and try to persuade each that his antagonist "*cannot be kicked into war*"—at the same time appealing to his pride to resent the insult. This laudable course seldom fails of success. The united influence of regard for his honour, and reliance on his antagonist's cowardice, excites the courage of one or both just to the point of aggression. This was the horrible result between the United States and England, of a procedure which never can be too highly censured.

I could pursue this topic to a very great extent. It admits of a wide field of investigation: but I leave it with the reader. I have barely erected a finger post to direct his career.

I am fully persuaded that Great Britain did not desire actual war with the United States. Had her ministers really believed the alternative to be, war or a repeal of the orders in council, they would have repealed them in season. But their friends on this side the Atlantic most cruelly deceived them. Every day's experience proves that ☞ *one indiscreet, imprudent, or injudicious friend, does more injury than three enemies.* ☞ The friends of England in this country have afforded undeniable proofs of the correctness of the maxim. The writers whom I have quoted above, and others of similar character, have inflicted on her more injury than ten times the number of the most violent anti-Anglicans in the country.

CHAPTER XLI.

War proceedings in Congress. Yeas and Nays. Inexplicable conduct. Mr. Quincy, and other violent Federalists, voted in the affirmative on almost all the questions leading to War—but against War itself.

This, reader, is a dry and dull chapter. It is little more than reiterated lists of names. It cannot afford much en-

tertainment. But if you have fairly travelled with me thus far, I deprecate your passing over these few pages. What they may want in entertainment, I hope they will compensate in instruction.

When the vote was finally taken on the declaration of war, there were 49 members in the negative, whose names are subjoined—

Nays—Messrs. Baker, Bartlett, Bleecker, Boyd, Breckenridge, Brigham, Champion, Chittenden, Cooke, Davenport, Ely, Emott, Fitch, Gold, Goldsborough, Hufty, Jackson, Key, Law, Lewis, Maxwell, M'Bryde, Metcalf, Milnor, Mitchell, Mosely, Newbold, Pearson, Pitkin, Potter, Quincy, Randolph, Reed, Ridgely, Rodman, Sammons, Stanford, Stewart, Stow, Sturges, Sullivan, Taggart, Talmadge, Tallman, Tracy, Van Cortlandt, Wheaton, White, Wilson.—49.

I annex a statement of the votes on various measures preparatory to war. The names of those who finally voted against the war, are in Italic.

December 16, 1811.

"The question was taken on the following resolution:

"That it is expedient to authorize the President, under proper regulations, to accept the service of any number of volunteers, not exceeding fifty thousand; to be organized, trained, and held in readiness to act on such service as the exigencies of government may require;

"And decided thus:

"Yeas—Alston, Archer, Avery, Bacon, *Baker*, Bard, *Bartlett*, Basset, Bibb, Blackledge, *Bleecker*, Blount, *Boyd*, *Breckenridge*, Brown, Burwell, Butler, Calhoun, Cheeves, *Chittenden*, Cochran, Clopton, *Cooke*, Condit, Crawford, Davis, Dawson, Dinsmoor, *Emott*, Findley, Fisk, *Fitch*, Franklin, Gholson, *Gold*, *Goldsborough*, Goodwyn, Green, Grundy, B. Hall, O. Hall, Harper, *Hufty*, Hyneman, Johnson, Kent, King, Lacock, Lefever, Little, Livingston, Lowndes, Lyle, Macon, *Maxwell*, Moore, *M'Bryde*, M'Coy, M'Kee, M'Kim, *Metcalf*, *Milnor*, *Mitchell*, Morgan, Morrow, *Mosely*, Nelson, *Newbold*, Newton, Ormsby, Paulding, *Pearson*, Pickens, Piper, *Pitkin*, Pond, Porter, *Quincy*, *Reed*, *Ridgely*, Ringgold, Rhea, Roane, Roberts, *Rodman*, Sage, *Sammons*, Seaver, Sevier, Seybert, Shaw, Sheffey, Smilie, G. Smith, *Stow*, Strong, *Sullivan*, *Talmadge*, *Tallman*, *Tracy*, Troup, Turner, *Van Cortlandt*, *White*, Whitehill, Williams, Widgery, *Wilson*, Winn, Wright, Hawes, Desha—113.

"Nays—Messrs. Bigelow, *Brigham*, *Champion*, *Davenport*, *Ely*, Gray, *Jackson*, *Law*, *Lewis*, *Potter*, *Randolph*, J. Smith, *Stanford*, *Sturges*, *Taggart*, *Wheaton*.—16.

Same day.

"The question was next taken on the fourth resolution of the committee on foreign relations, in the following words:

"That the President be authorised to order out from time to time, such detachments of the militia, as in his opinion the public service may require;

"And decided as follows:

"Yeas—Messrs. Alston, Anderson, Archer, Avery, Bacon, *Baker*, Bard, *Bartlett*, Bassett, Bibb, Blackledge, *Bleecker*, Blount, *Boyd*, *Breckenridge*, Brown, Burwell, Butler, Calhoun, Cheeves, *Chittenden*, Cochran, Clopton, *Cooke*, Condit, Crawford, Davis, Dawson, Desha, Dinsmoor, Earle, *Emott*, Findley, Fisk, *Fitch*, Franklin, Gholson, *Gold*, *Goldsborough*, Goodwin, Gray, Green, Grundy, B. Hall, O. Hall, Harper, Hawes, *Hufty*, Hyneman, Johnson, Kent, King, Lacock, Lefever, *Lewis*, Little, Livingston, Lowndes, Lyle, Ma-

con, *Maxwell*, Moore, *M'Bride*, M'Coy, M'Kee, M'Kim, *Metcalf*, *Milner*, *Mitchill*, Morgan, Morrow, *Mosely*, Nelson, *Newbold*, Newton, Ormsby, Paulding, *Pearson*, Pickens, Piper, *Pitkin*, Pond, Porter, *Potter*, *Quincy*, *Randolph*, *Reed*, *Ridgely*, Ringgold, Rhea, Roane, Roberts, *Rodman*, G. Smith, J. Smith, Stanford, Strong, *Sullivan*, *Talmadge*, *Tallman*, *Tracy*, Troup, Turner, *Van Cortlandt*, *Wheaton*, *White*, Whitehill, Williams, Widgary, *Wilson*, Winn, Wright.—120.

"Nays—Messrs. Bigelow, *Brigham*, *Champion*, *Davenport*, *Jackson*, *Law*, *Sturges*, *Taggart*.—8.

Same day.

"The question was taken on the fifth resolution, in the words following:

"That all the vessels not now in service belonging to the navy, and worthy of repair, be immediately fitted up and put in commission.

"And carried as follows:

"Yeas—Messrs Alston, Anderson, Archer, Avery, Bacon, *Baker*, Bard, *Bartlett*, Basset, Bigelow, Blackledge, *Bleecker*, Blount, *Breckenridge*, *Brigham*, Burwell, Butler, Calhoun, *Champion*, Cheeves, *Chittenden*, Cochran, Clopton, *Cooke*, Condit, Crawford, Davis, Dawson, Desha, Dinsmoor, Earle, *Ely*, *Emott*, Findley, *Fitch*, Franklin, Gholson, *Gold*, *Goldsborough*, Goodwyn, Green, Grundy, B. Hall, O. Hall, Harper, Hawes, Hyneman, *Jackson*, Johnson, Kent, King, Lacock, *Law*, Lefevre, Little, Livingston, Lowndes, Lyle, *Maxwell*, Moore, *M'Bryde*, M'Coy, M'Kim, *Metcalf*, *Milner*, *Mitchill*, Morgan, Morrow, *Moseley*, Nelson, *Newbold*, Newton, Ormsby, Paulding, *Pearson*, Pickens, Piper, *Pitkin*, Pond, Porter, *Quincy*, *Reed*, *Ridgely*, Ringgold, Rhea, Roane, Roberts, Sage, *Sammons*, Seaver, Sevier, Seybert, Shaw, G. Smith, Strong, *Sturges*, *Sullivan*, *Taggart*, *Talmadge*, *Tallman*, *Tracy*, Troup, Turner, *Van Cortlandt*, *Wheaton*, *White*, Widgery, *Wilson*, Winn, Wright.—111.

"Nays—Messrs. Bibb, *Boyd*, *Brown*, Gray, *Hufty*, *Lewis*, Macon, *Potter*, *Randolph*, *Rodman*, Sheffey, Smilie, Stanford, Whitehill, Williams.—15.

Dec. 19, 1811.

"The question was taken on the following resolution, and carried.

"That it is expedient to permit our merchant vessels, owned exclusively by resident citizens, and commanded and navigated solely by citizens, to arm under proper regulations to be prescribed by law, in self defence against all unlawful proceedings towards them on the high seas.

"Yeas—Messrs. Alston, Anderson, Avery, Bacon, *Baker*, Bassett, Bibb, Bigelow, Blackledge, *Bleecker*, *Breckenridge*, *Brigham*, Butler, Calhoun, *Champion*, Cheeves, *Chittenden*, Clopton, *Cooke*, Condit, Crawford, *Davenport*, Davis, Dawson, Desha, Dinamoor, *Ely*, Findley, *Fitch*, Franklin, Gholson, *Gold*, *Goldsborough*, Goodwyn, Green, Grundy, B. Hall, O. Hall, Harper, Hawes, Hyneman, *Jackson*, Johnson, King, Lacock, *Law*, Lefever, Little, Livingston, Lyle, *Maxwell*, Moore, *M'Bryde*, M'Coy, *Metcalf*, *Milner*, Morgan, *Mosely*, Nelson, *Newbold*, Newton, Ormsby, Paulding, *Pearson*, Pickens, Piper, *Pitkin*, Pleasants, Pond, Porter, *Pearson*, *Quincy*, *Reed*, *Ridgely*, Ringgold, Rhea, Roane, Sage, *Sammons*, Seaver, Sevier, Shaw, Smilie, J. Smith, *Stow*, *Sturges*, *Taggart*, *Tallman*, *Tracy*, Troup, Turner, *Van Cortlandt*, *Wheaton*, *White*, Widgery, *Wilson*, *Bartlett*, *Potter*.—97.

"Nays—Messrs. Archer, Bard, Blount, Boyd, Brown, Cochran, Hufty, Kent, Lowndes, Macon, M'Kee, M'Kim, Mitchill, Morrow, Roberts, Rodman, Sheffey, Stanford, Stewart, Whitehill, Williams, Wright.—22.

January 6, 1812.

"The house took up the bill for raising an additional military force, which finally passed, 94 to 34. The yeas and nays were as follows:

"Yeas.—Messrs. Alston, Anderson, Archer, Avery, Bacon, Bard, *Bartlett*, Bassett, Bibb, Blackledge, *Bleecker*, Blount, Brown, Burwell, Butler, Cal-

boun, Cheeves, Clay, Cochran, Clopton, Condit, Crawford, Davis, Dawson, Desha, Dinsmoor, Earle, *Emott*, Findley, Fisk, Franklin, Gholson, *Gold*, Green, Grundy, B. Hall, O. Hall, Harper, Hawes, Hyneman, Johnson, Kent, King, Lacock, Lefevre, Little, Livingston, Lowndes, Lyle, *Maxwell*, Moore, M'Coy, M'Kee, M'Kim, *Metcalf*, *Milner*, *Mitchill*, Morgan, Morrow, Nelson, New, Newton, Ormsby, Paulding, Pickens, Piper, Pond, Porter, *Quincy*, *Reed*, Ringgold, Rhea, Roane, Roberts, Sage, *Sammons*, Seaver, Sevier, Seybert, Shaw, G. Smith, J. Smith, Strong, *Sullivan*, *Tallman*, Talliaferro, *Tracy*, Troup, Turner, *Van Cortlandt*, Williams, Widgery, Winn, Wright.—94.

"Nays.—Messrs. Bigelow, *Boyd*, *Breckenridge*, *Brigham*, *Champion*, *Chittenden*, *Davenport*, *Ely*, *Fitch*, *Hufty*, *Jackson*, *Key*, *Law*, *Lewis*, Macon, *M'Bryde*, *Mosely*, *Newbold*, *Pearson*, *Pitkin*, *Potter*, *Randolph*, *Redman*, Sheffey, Smilie, *Stanford*, *Stewart*, *Stow*, *Sturges*, *Taggart* *Tallmadge*, *Wheaton*, *White*, *Wilson*.—34.

January 20, 1812.

"The engrossed bill concerning the naval establishment was read the third time and passed. The yeas and nays on its passage were as follows:

"Yeas.—Messrs Alston, Anderson, Bassett, Blackledge, *Breckenridge*, Burwell, Butler, Calhoun, Cheeves, *Chittenden*, Condit, *Davenport*, Davis, Dinsmoor, *Ely*, *Emott*, Findley, Fisk, *Fitch*, Franklin, Gholson, Goodwin, Green, Harper, Hawes, Hyneman, King, Little, Livingston, Lowndes, *Maxwell*, Moore, *M'Bryde*, M'Coy, M'Kim, *Milner*, *Mitchill*, Nelson, Newton, *Pitkin*, Pleasants, Pond, *Potter*, Richardson, Ringgold, Rhea, Seybert, Sheffey, G. Smith, J. Smith, *Stewart*, *Stow*, *Sturges*, *Taggart*, Talliaferro, *Tracy*, Troup, Turner, *Van Cortlandt*, *Wheaton*, *White*, *Wilson*, Winn, Wright.—65.

"Nays.—Messrs. Bacon, Bibb, *Boyd*, Brown, Cochran, Crawford, Desha, O. Hall, *Hufty*, Johnson, Lacock, Lyle, Macon, M'Kee, *Metcalf*, Morgan, New, *Newbold*, Piper, Roane, Roberts, *Redman*, Sage, Seaver, Shaw, Smilie, *Stanford*, Strong, *Mitchill*, Williams.—30.

February 19, 1812.

"The engrossed bill for authorising a loan for eleven millions of dollars, was read the third time, and the question was put "shall the bill pass its third reading."

"Yeas.—Messrs. Alston, Anderson, Archer, Bacon, Bard, Bassett, Bibb, *Bleecker*, *Boyd*, Brown, Burwell, Butler, Calhoun, Cheeves, Clay, Cochran, Condit, Crawford, Davis, Dawson, Desha, Dinsmoor, Earl, *Emott*, Findley, Fisk, Franklin, Gholson, *Gold*, Goodwyn, Green, Grundy, B. Hall, O. Hall, Harper, Hawes, *Hufty*, Johnson, Kent, King, Lacock, Lefever, Little, Livingston, Lowndes, Lyle, Macon, *Maxwell*, Moore, M'Coy, M'Kim, *Metcalf*, *Mitchill*, Morgan, Morrow, Nelson, New, Newbold, Newton, Ormsby, Pickens, Piper, Pleasants, Pond, Porter, *Potter*, *Quincy*, *Reed*, Richardson, Ringgold, Rhea, Roane, Roberts, Sage, *Sammons*, Seaver, Sevier, Seybert, Shaw, Smilie, G. Smith, J. Smith, *Stow*, Strong, *Tracy*, Troup, Turner, *Van Cortlandt*, Whitehill, Widgery, Winn, Wright.—92.

"Nays.—Messrs. *Baker*, Bigelow, *Breckenridge*, *Brigham*, *Champion*, *Chittenden*, *Davenport*, *Fitch*, *Goldsborough*, Gray, *Jackson*, *Law*, *Lewis*, *Milner*, *Mosely*, *Pearson*, *Pitkin*, *Randolph*, *Ridgely*, *Redman*, Sheffey, *Stewart*, *Sturges*, *Tagg* t, *Tallmadge*, *Wheaton*, *White*, *Wilson*.—39.

I hope the reader has fully examined those dry lists, and has his mind prepared for the reflections I have to submit upon them.

No man will deny that a public functionary who acts with gross and manifest inconsistency in his political career, especially, in matters of the highest possible importance to his constituents, forfeits their confidence. Of course it is extremely dangerous to submit to his guidance.

The war was either just or unjust.

Every man who believed it unjust, and who voted for a series of measures leading to it, betrayed his trust.

Every man who voted for the measures leading to war; who opposed it after it was declared; and who, as far as in his power, thwarted the measures adopted to carry it on, was guilty of a gross, manifest, and palpable inconsistency—and in either one or other course betrayed his trust.

That these positions are correct cannot be denied. I proceed to apply them—and shall single out an individual to make the case more striking.

Josiah Quincy voted, as we have seen, ☞ *for a set of measures, all predicated upon an approaching war.* ☞ *He voted for the loan to raise the money necessary to give effect to those measures.* ☞ *He, and forty-eight other members, who had generally voted with him for all these preparatory measures, voted against the war itself. And further, they did not merely vote against the war, but* ☞ *thirty-four of them published a most inflammatory protest, addressed to their constituents, to excite them to oppose it.* This protest, and other violent measures, were fatally but too successful.

I annex the names of the protesters.

Messrs. Brigham, Bigelow, M'Bride, Breckenridge, Baker, Bleecker, Champion, Chittenden, Davenport, Emott, Ely, Fitch, Gold, Goldsborough, Jackson, Key, Lewis, Law, Mosely, Milnor, Potter, Pearson, Pitkin, Quincy, Reed, Ridgely, Sullivan, Stewart, Sturges, Tallmadge, Taggart, White, Wilson, Wheaton.

I aver that the whole of the annals of legislation, from the first organization of deliberative bodies to this hour, ☞ *cannot produce a more sinister, dark, or mysterious policy.* These gentlemen, particularly Mr. Quincy, who has been so conspicuous in his opposition to the war, are most solemnly cited before the bar of the public, and called upon to explain the motives of their conduct to that country, which was brought to the jaws of perdition by the opposition they excited against a war which they countenanced in almost every stage but the last.

CHAPTER XLII.

Declaration of war. Violently opposed.

At length, on the 18th of June, 1812, war was declared against England in due form, after a session of above seven months, and the most ardent debates. The final vote was carried in the senate by 19 to 13—and in the house of representatives by 79 to 49: affirmatives in both houses 98, negatives 62; that is, more than three to two, in both houses united.

War then became the law of the land. It was the paramount duty of all good citizens to submit to it. Even those who doubted its justice or expediency, and who had opposed its adoption, were bound to acquiesce: for the first principle of all republican government,—and of all government founded on reason and justice, is, that the will of the majority, fairly and constitutionally expressed, is to be the supreme law. To that the minority is sacredly bound to submit. Any other doctrine is jacobinical, and disorganizing, and seditious, and has a direct tendency to overthrow all government, and introduce anarchy and civil war. If it were lawful for the minority, in the unparalleled way they did, to oppose or paralize the government, and defeat its measures, on the pretext that they were unjust, such pretexts can never be wanting. And I aver that ☞ *it would be full as just, as righteous, as legal, and as constitutional, for Mr. Holmes at the head of the minority in Massachusetts, to besiege governor Strong, in his house, and coerce him to retire from office, as* ☞ *it was for the Kings, the Websters, the Hunsons, and the Gores, to besiege president Madison at Washington.*

While the federalists held the reins of goverment, they inculcated these maxims with great energy and effect. The least opposition to law excited their utmost indignation and abherrence. The vocabulary of vituperation was exhausted to brand it and its perpetrators with infamy. But to enforce rules that operate to our advantage, when we have power, and to submit to those rules, when they operate against us, are widely different things. And the federalists, as I have already remarked, abandoned, when in the minority, the wise and salutary maxims of political economy which they had so eloquently preached when they were the majority.

And they were not satisfied with mere preaching. They had occasional recourse to violence. A band of Philadelphia volunteers, during the western insurrection, seized a printer at Reading by force and violence in his house, and scourged him in the market-place for a libel, not the twentieth part as virulent as those that are daily published at present with impunity.

War is undoubtedly a tremendous evil. It can never be sufficiently deplored. It ought to be avoided by all honourable means. But there are situations which present greater evils than war as an alternative. I believe this nation was precisely in that situation. We had borne almost every species of outrage, insult, and depredation. And the uniform voice of history proves that such base submission of

nations to the atrocities perpetuated upon us, inevitably produces a loss of national character, as well as of the respect and esteem of other nations—and invites to further outrages and depredation, till the alternative finally becomes a loss of independence, or resistance with means and confidence impaired. The questions respecting the late war with Great Britain are, whether it was warranted by the conduct of that nation—and whether, after having been duly declared by the constituted authorities, it was not the incumbent duty of the whole nation to have united in their support of it. The first of these questions is of so much importance that I shall devote to it the 44th chapter entire. I have already sufficiently discussed the second in the beginning of the present chapter.

From the hour of the declaration of war, a steady, systematical, and energetical opposition was regularly organized against it. The measure itself, and its authors and abettors, were denounced with the utmost virulence and intemperance. The war was at first opposed almost altogether on the ground of inexpediency, and the want of preparation. Afterwards its opposers rose in their denunciations. They asserted it was unholy—wicked—base—perfidious—unjust—cruel—and corrupt. Every man that in any degree co-operated in it, or gave aid to carry it on—was loaded with execration. It has been recently pronounced in one of our daily papers to be "the most wicked and unjust war that ever was waged." The disregard of truth and of the moral sense of the reader, which such a declaration betrays, is calculated to excite the utmost astonishment. Can this war for an instant be compared to the atrocious and perfidious war waged by Bonaparte against Spain—to the treacherous war of England against Denmark, begun by a most lawless and unprecedented attack upon the shipping and capital of an unoffending neutral? I pass over thousands of other instances.

CHAPTER XLIII.

Peace Party. Composed of warlike materials. Repeated clamour for war.

IMMEDIATELY after the declaration of war, there was a party formed called the "Peace Party," which combined nearly the whole of the federalists throughout the union. Their object was to expose the war—the administration—the congress who declared it—and all who supported it, to reprobation—and to force the government to make peace.

This party embraced various descriptions of persons, all enlisted under the banners of federalism, whom it may not be improper to enumerate.

First, those who were clamorous for war with England in 1793, for her depredations on our commerce.

Secondly, those who declared and supported the war against France in 1798.

Thirdly, those who were vociferous for war against Spain in 1803, when she interdicted us from the right of deposit at New-Orleans.

Fourthly, those who in 1805—6, urged the government to resist the aggressions of England, and to make the alternative—*redress of wrongs, or* WAR.

Fifthly, those who, after the attack upon the Chesapeake in 1807, were clamorous for war, as the only mode in which satisfaction could be had for such an outrageous insult.

To enable the reader to make a fair comparison of the several degrees of complaint at these several periods of time, I annex a synoptical view of them.

1793.	1797.	1803.	1806.	1807.	1812.
Clamour for war with England.	War with France.	Clamour for war with Spain.	Clamour for war with G. Britain.	Clamour for war with G. Britain.	War with Great Britain.
Cause.	*Cause.*	*Cause.*	*Cause.*	*Cause.*	*Cause.*
Depredations on commerce.	Depredations on commerce. Ambassadors insulted. Attempt to extort money.	Prohibition of the right of deposit at New Orleans.	Enforcement of the rule of 1756. Impressment.	Attack on the Chesapeake. Impressment.	AMERICAN VESSELS, OWNED BY AMERICAN CITIZENS, LADEN WITH AMERICAN PRODUCTIONS, AND NAVIGATED BY AMERICAN SEAMEN, LIABLE TO SEIZURE AND CONDEMNATION, *if bound to France, Holland, or the north of Italy. In other words, the trade of the United States with 30,000,000 of the people of Europe interdicted.* Impressment.

I hope the reader will pay particular attention to this table. Let him for a moment, whether federalist or democrat, divest himself of all prejudice on this subject. Let him suppose himself called to decide upon events of a former age or a distant country. Let him compare the different grievances together, and I trust he must acknowledge that those of 1812, very far outweighed any or all of the others combined.

Let us first consider the case of the suspension of the right of deposit at New-Orleans. On that occasion the

federal party in congress and out of doors were loud in their clamour for war. ☞ *without even allowing time for making an attempt to procure redress by negociation.* Motions were made in congress for raising 50,000 men to sail down the Mississippi in order to chastise the insolence of the Spaniards. The government was upbraided for its pusillanimity in not vindicating the national honour. The cry then was—"*millions for defence, not a cent for tribute.*"

Extract of a letter from the seat of government to a friend in Massachusetts.

"The Mississippi river is the common highway to the people of the western country, on which they must pass with their produce to market. ☞ *They never will suffer this highway to be obstructed or shut up.* ☞ *The free navigation of this river must be preserved to that portion of the American people, or,* THE AMERICAN EMPIRE MUST BE DISMEMBERED. ☞ *If we had a Washington at the head of our government, I should expect firm, decisive measures would upon this occasion be pursued;* that a military force sufficient to take *New-Orleans*, would immediately and without delay be assembled at the *Natches*, in the Mississippi territory; that upon the refusal of the Spanish government, upon demand, to fulfil the treaty, that army, thus assembled, should immediately proceed down the river, and take possession of *New-Orleans.* ☞ *But I apprehend no such vigorous measures will be adopted by our present executive.* From the reduction of the army last year, what regular troops have we remaining to be employed in that service?" Boston Centinel, Jan. 17, 1803.

"Notwithstanding the *milk and water* measures the administration has thought proper to adopt respecting the "*Occlusion*" of the port of *New-Orleans*—the language of the people on the occlusion is directly the reverse." Boston Centinel, Feb. 16, 1803.

Extract of a letter from Washington

"We disapprove ☞ *the timid and time-serving measures* which our government has adopted relative to the violation of our treaty with Spain: the states which border on the *Ohio* and *Mississippi* are most immediately interested in what the president calls the "occlusion" of the port of New-Orleans. On the 14th Mr. *Ross*, of *Pennsylvania*, made a most able and animated speech in the senate, in which he described in striking colours, the situation of the western country, and ☞ *urged the necessity of taking effectual measures for their relief, and in support of national honour.* After having spoken more than an hour, Mr. *Ross* informed the senate, that he had prepared several resolutions on the subject, which he asked leave to submit. The *democrats* immediately moved that the galleries should be cleared. Mr. *Ross* then declared, that *if the discussion was to be secret, he should not offer the resolutions, or make any further observations on the subject.* The galleries were, however, cleared by the *majority*, and the senate soon adjourned. It is understood that a grand caucus was held that evening, and the majority dreading the effect such proceedings might have on the public mind, the next morning it was determined in senate, that the discussion should be public." Boston Centinel, March 2, 1803.

"Nothing is more contagious than example. The *meek and lowly spirit* which influences the conduct of the executive towards Spain, has infected even the armed force on the frontier; and the pioneers of their country, ☞ WHOSE SWORDS OUGHT TO LEAP FROM THEIR SCABBARDS TO RESENT ITS INJURIES, are now seen to catch at every appearance, however evanescent, to promote the reign of *humility*. Even general *Wilkinson*, who, one would suppose, would be tremblingly alive to his country's honour, and ☞ *proud of an opportunity to stimulate it to spirited measures*—assumes the dulcet note, and with avidity despatches an express to inform *governor Claiborne*, not that the Spanish government had restored the United States

to their right by treaty; but truly "that the government has given *permission* for the deposit of all kinds of provisions in New-Orleans, on *paying six per cent. duty!!!*" And this information, says the able and indefatigable editor of the *Evening Post*, is introduced by the words, THE PORT OF NEW-ORLEANS OPEN, in large capitals, by way of exultation at this joyous event." Boston Centinel, April 13, 1803.

"The president of the United States, in his late letters to the executives of the individual states, on the subject of the organization of the militia—speaking of the Spanish conduct at New-Orleans, says—"*Rights the most essential to our welfare have been violated, and an infraction of treaty committed without colour or pretext.*" This being the acknowledged state of things, let the world judge, ☞ *whether the national honour will be more justly vindicated, and violated rights redressed, by the awkwish appeal* which has been made to Spanish faith and justice, and French *generosity* and management, by the degrading solicitation for purchased justice, or the disgraceful proffer of a bribe—or whether ☞ *these ends would not more readily be obtained by the execution of the manly and spirited measures recommended by the eloquence of Morris, and the patriotism and sound understanding of Ross and the other federalists in congress*—posterity will judge." Boston Centinel, April 13, 1803.

"*While we deplore the weakness and pusillanimity of our government, we sincerely congratulate our western brethren* on the favourable change in their situation; and fervently pray for its long continuance. How far we may attribute this change ☞ *to the spirited conduct of the federal members of congress*, cannot at present be fully ascertained. We have no hesitation, however, in believing that it has at least persuaded, if not entirely originated these measures." Centinel, April 27, 1803.

"Since the adoption of the federal constitution, no subject has more forcibly affected the feelings of the citizens of the United States, than the "*exclusion*" of the port of *New-Orleans* by the Spanish [or French] government. It is a subject to which the attention of the reader cannot too frequently be called. The president of the United States has not hesitated officially to declare, that by this measure "*rights the most essential to the welfare of the American people have been violated, and an infraction of the treaty committed without colour or pretext:*" the spirit of the people has been alive to the injury—and was ready to make any sacrifice to redress the wrong:—but *because the federalists in congress felt the full glow of this spirit; and took the lead in proposing the necessary measures to give it efficacy;* rather than they should derive any honour from their success, the administration having the power, substituted ☞ A PUSILLANIMOUS NEGOCIATION, and degrading entreaty, for that spirit of action which manly resentment for violated rights and broken faith, so loudly and so justly called for." Boston Centinel, June 15, 1803.

Louisiana purchased.

"The question will ever be, was the mode of getting the territory the best, the *cheapest, the most honourable* for our nation? Is the way of negociating *cash in hand*, as *cheap or honourable* as *that Mr. Ross recommended?* We could have *had it for nothing*." Centinel, July 2, 1803.

"All that we wanted on the river *Mississippi* was a place of deposit: that our treaty with Spain gives. It was basely withdrawn: our high-spirited rulers are asked to assert our rights. O, no—80,000 militia are to be held ready to defend our *turnips* and feed the pigs and cattle. BUT TO TAKE OUR RIGHT—TO SEIZE WHAT TREATIES GIVE, AND FRAUD WITHHOLDS; THIS IS NOT THEIR FORTE.

"A great man has been heard to say, that war in any case was wrong: and on the question being put whether he would think it wrong to go to war if our country was *invaded by a foreign army, that even then* some other way might be found out. This is our honour's keeper, whom we have elected in the strange hope that he will guard it better than his own.

"Certainly the Jacobins do not need a conqueror to make them slaves. They are *slaves in soul*, whom even our liberty cannot raise; slaves are more fascinated with a master's livery than their own rights; yet they expect this *base* language will make them popular." Centinel, July 9, 1803.

"AN ADMINISTRATION SO FEEBLE AND DESPICABLE, by what it can and what it cannot do, would have sunk under the competition with France: and a hostile neighbour on the *Mississippi*, would have in two years been our master. Conscious of their *poverty of spirit* and of means, such an administration would have resorted to the ordinary expedient of the *base* to yield part of their wealth to save the remainder." Centinel, July 27, 1803.

"Like true *Spaniels*, we are the most *servile* to those who *most insult us*. We receive back our right as a great favour, and pay tribute for that which the despoiler could no longer withhold—the free navigation of the Mississippi and a place of deposit on its shore was our right: the privation of which a wrong, and A FREE AND ENTIRE RESTORATION, OR A FORCIBLE RECOVERY OF IT, SHOULD HAVE BEEN THE REMEDY. True patriotism, thank God, still glows, still blazes, like a seraph in *England*. Here it smells of alien. But Great Britain must save the *unwilling* world, to save herself." Centinel, Aug. 13, 1803.

"There is no condition of disgrace granted below ours. In *the lowest deep there is a lower deep. Our nation had better not exist at all than exist by sufferance and under tribute.*" Centinel, Aug. 23, 1803.

Who could possibly suppose that the preceding extracts are from the Boston Centinel, owned and edited by major Benjamin Russel, who was lately so ardent, so zealous, so benignant a "*friend of peace*," and who was among the prime leaders of those "*friends of peace*," whose *pacific proceedings* nearly overturned the government, spread bankruptcy in every direction, ruined thousands and tens of thousands of the best citizens in the country, and laid us nearly prostrate at the feet of a vindictive and powerful enemy? The expense of war was of late with major Russel one of its chief objections. In 1803, he was so heroically disposed that he urged war as "the cheapest and most honourable" mode of recovering our rights.

Extract from the speech of Gouverneur Morris in the Senate of the United States, Feb. 16, 1803, *on Mr. Ross's resolution to take immediate possession of the island of New-Orleans.*

"Yes Sir, we wish for peace; but how is that blessing to be preserved? I shall repeat here a sentiment I have often had occasion to express: *In my opinion there is nothing worth fighting for but national honour; for in the national honour is involved the national independence.* I know that a state may find itself in such unpropitious circumstances, that prudence may force a wise government to conceal the sense of indignity; but the insult should be engraved on tables of brass, with a pencil of steel, and when that time and chance which happen to all, shall bring forward the favourable moment, then let the avenging arm strike home. It is by avowing and maintaining this stern principle of honour, that peace can be preserved; he will feel with me that our *national honour is the best security for our peace and prosperity*; that it involves at once our wealth and our power; and in this view of the subject I must contradict a sentiment which fell from my honourable colleague (Mr. Clinton.) He tells us that the principle of this country is peace and commerce. Sir, the avowal of such a principle will leave us neither commerce nor peace. It invites others to prey on that commerce which we will not protect, and share the wealth we dare not defend. But let it be known that

you stand ready to sacrifice the last man and the last shilling in defence of national honour, and those who would have assaulted it, will beware of you."

Extract from Mr. Rose's speech, delivered in the Senate the same day as the preceding, Feb. 16, 1803.

"Why not put a force at his (the president's) disposal with which he can strike! With which he can have a pledge for your future well-being! When the Atlantic coast is willing shall their security be lost by your votes! Are you sure that you will ever again find the same disposition! Can you recall the decisive moment that may happen in a month after our adjournment! Heretofore you have distrusted the Atlantic states; now, when they offer to pledge themselves, meet them, and close with the proposal. If the resolutions are too strong, new model them; if the measures are not adequate, propose other and more effectual measures. But as you value the best interests of the Western country, and the union with the Atlantic, seize the present occasion of securing it forever. For the present is only a question of how much power the executive shall have for the attainment of this great end, and no man desirous of the end ought to refuse the necessary means for attaining it. Your votes decide the direction this senate will take. And I devoutly wish it may be one we shall never repent."

The cause of complaint in 1806, was much greater than in 1803. But it bears no comparison to the grievances in 1812. In 1806, besides the lawless depredations on our vessels at sea, without notice, we were interdicted merely from trading with the colonies of the French and Spaniards on other terms than they permitted in time of peace. How far this was beneath the grievances that led to war, will appear in the next chapter.

Let us see how far major Russell was consistent on the point of peace and war in 1806.

"The disputes between this country and England, so long attended with rigour on her part, and injury on ours, will not admit of much longer vain complaints and harsh recriminations. *They must terminate shortly in the silence of war or peace.*

"At the renewal of the present war, we had proceeded for some time with all the ardour and zeal of good fortune. We have been stopped again in our career by the renewal of harsh and vexatious restrictions on the part of England. She has again appealed to principles which we cannot admit, and claimed as rights, what we cannot grant her even as an indulgence. In the exercise of these assumed rights, we find a serious source of complaint; for it has cost us much. It is, however, nothing novel. It is but a renewal of the injuries we complained of in 1793." Boston Centinel, Feb. 5, 1806.

"They [the democrats in congress] dare not resist all aggressions alike, and assume the part of spirited impartiality as a magnanimous policy requires. If war is called for by the insulted honour of our country—if the cup of conciliation is drained to the dregs, as they declare it to be, ☞ LET WAR BE DECLARED,—☞ LET AN EMBARGO BE LAID—adequate funds provided—the strong arm of defence nerved and extended—and a powerful navy ordered. In these measures the whole country, from Georgia to Maine, convinced of their necessity, will be united." Boston Centinel, Feb. 12, 1806.

"I do not believe we shall have war with any nation. *But our peace will be at the expense of our spirit.*" Boston Centinel, March 8, 1806.

"Our ministers in Europe—May they never hesitate to PREFER WAR to dishonour or tribute." Toast drank at the Artillery Election. From the Boston Centinel, June 4, 1806.

From Washington, January 23, 1806.

"*Fear*, prejudice, or some other *dastardly* principle, is continually crossing the path of our rulers: and the loud calls of our country, its commerce, and spoiled merchants, for energetic measures, is unheard, or disregarded. *My fears are, that the president's messages will only be supported by windy debates, or pen and ink reports.*

Mr. *Randolph*, I am told, has very much injured his health by the exertions he is said here to have made during the time the house was in *conclave*. He has not attended the house for several days, and is sick. From one quarter or another, the proceedings of the house, when in secret session, are leaking out. My inquiries lead me to believe, that in the *spirited* measures which *Randolph* proposed for supporting *the president's* confidential message, he was joined by *every federalist* in the house; by a majority of the *Virginia* representation and some others; but that he was in the *minority*; and further, that he was opposed by all the New-England democrats to a man!!!" Boston Centinel, January, 1806.

"Our seamen are impressed—they are captured—they are imprisoned—they are treated with almost every kind of indignity, while pursuing their lawful business in a regular manner. How long must this be borne? Has our government yet to learn, that *no nation ever was or ever will be respected abroad, but in proportion as it exacts respect by punishing wanton insults upon its dignity, and wanton depredations upon the property of its citizens*; that its doing justice to other nations cannot secure it respect, unless it has both ability and disposition to enforce measures of justice from them, and that constant firmness of national attitude and conduct prevent insults, while pusillanimity invites them." New-Hampshire Gazette, July 31, 1805.

TO WHOM IT SUITS.

"Look at the situation of our sea-coast, defenceless, a prey to picaroons, privateers, and armed vessels of all nations. Our ports blockaded, our coasters and shipping robbed, our forts insulted, our harbours converted into private depots, where the very vessels which rob and disgrace us, are supplied with provisions, stores, and God knows what; and where it is more than probable they have their agents, confederates, or copartners. See the powers of Europe acting towards America, as if it were meant to insult her, or rather, indeed, sporting with her tameness in the eyes of the looking on world. Disagreeing, fighting, and at enmity with each other in every thing else, in this one thing they perfectly agree, in *treating America with indignity, insult, and deriding contempt.*

"Are you yet aware, sir, when it will end? Are you sure that if neglected it will not amount to a height too great to be reached without strainings that may produce fatal convulsions in the state? For God's sake, for the honour of your country, for your own credit, *rouse, let loose the spirit of the country, let loose its money-bags, and save its honour; the nation will one and all support you.* New-Hampshire Gazette, Jan. 31, 1805.

In 1807, the cause of complaint was still less substantial than in either of the other instances.

Not to tire the reader with proofs of the public clamours for war at this period, I deem it abundantly sufficient to refer him to the twentieth chapter of this work, wherein he will find evidence to satisfy the most incredulous.

I must be pardoned for declaring, that any man who was a partisan of war in the above cases, and reprobates the recent war as unjust and unnecessary, betrays a most awful degree of inconsistency. And yet it is an indisputable fact, that the most violent, the most clamorous, the most jacobinical, and the most seditious, among the late "*Friends of*

Peace," were among the most strenuous advocates for, and "*Friends of War*" on the former occasions.

The Boston Centinel, after the declaration of hostilities, regarded war as the most frightful of all possible evils. But this was not always its view of the subject. Within a fortnight after laying the embargo, that measure was pronounced more formidable than war itself.

"The embargo, which the government has just laid, is of a new and alarming nature. ☞ *War, great as the evil is, has less terror, and will produce less misery than an embargo on such principles.*" Boston Centinel, January 2, 1808.

CHAPTER XLIV.

Inquiry into the justice of the War. Awful accusations against the Government. President's Message. Report of Committee of Congress. British depredations. Trade of the United States annihilated with 50,000,000 of the inhabitants of Europe.

Those who were unacquainted with the causes that led to the late war, might, from the publications that appeared against it, believe that the United States were wholly the aggressors—that England had been a tame and submissive sufferer of depredation, outrage, and insult—and that our rulers had been wantonly led, by inordinate and accursed ambition, to engage in a ruinous and destructive war, in order to enrich themselves—squander away the public treasure—and impoverish the nation. They were, it would appear, actuated by as unholy motives as ever impelled Attila, Genghis Khan, or Bonaparte, to perpetrate outrage and cruelty to the utmost extent of their power.

These allegations were made in the strongest language in the public papers in London. The prince regent appealed to the world that Great Britain had not been the aggressor in the war. And the lords of the admiralty asserted that war was declared "*after all the grievances of this country had been removed.*"

The federal papers re-echoed and magnified the accusations of the British writers; and succeeded so far as to inflame a large portion of the public with the most frantic exasperation against the rulers of their choice, whom they suspected of having abused their confidence.

Governors of states in their addresses, as well as senates and houses of representatives in their replies, took the same ground—and assumed guilt, and profligacy, and corruption, as the parents of the declaration of war.

The house of representatives of Massachusetts, regardless of the holy rule, "*judge not, lest you be judged.*" in the most unqualified manner, with an utter destitution of the least semblance of charity, asserts, that

"The real cause of the war must be traced to the first systematical abandonment of the policy of Washington and the friends and framers of the constitution; to implacable animosity against those men, and their universal exclusion from all concern in the government of the country; to the influence of worthless foreigners over the press, and the deliberations of the government in all its branches;—to *a jealousy of the commercial states,* * *fear of their power, contempt of their pursuits, and ignorance of their true character and importance;*—to the cupidity of certain states for the wilderness reserved for the miserable aborigines; to a violent passion for conquest," &c.

With *equal candour*, the senate of that state, not to be outdone by the other legislative branch, declare that

"☞ *The war was founded in falsehood,* ☞ *declared without necessity, and* ☞ *its real object was extent of territory by unjust conquests, and* ☞ *to aid the late tyrant of Europe in his view of aggrandizement.*"

In these awful accusations, there is no allowance for human imperfection—for error in judgment—for difference of opinion. They are preferred in the strongest form which our language admits, and involve the highest possible degree of turpitude.

If these allegations be true, the President who recommended war, and the legislature of the United States which declared it, have betrayed their trust, and are base, abandoned, and wicked. If they be false, the legislature of Massachusetts are base, abandoned, and wicked. There is no alternative. One or other description of persons must sink in the estimation of cotemporaries and posterity.

Let us examine the case. Let us investigate the truth. If our rulers be thus base—thus abandoned—thus wicked—thus corrupt—let them be devoted to the detestation they have so richly earned. But if the allegations be false—if the war were just—if the nation drank the chalice of outrage, insult, injury, and depredation, to the last dregs, before she had recourse to arms, let us, at every hazard, cling to our rulers—to our form of government—to the national honour—to the national interest.

The conduct of Great Britain to this country for a series of years, had been a constant succession of insult, aggression, and depredation. Our harbours had been insulted and outraged—our commerce had been most wantonly spoliated—our citizens had been enslaved, scourged, and slaughtered, fighting the battles of those who held them in cruel bondage. We had, in a word, experienced numberless and

* The absurdity and total want of foundation of these allegations I shall fully establish in a subsequent chapter.

most wanton injuries and outrages of various kinds. But the two prominent causes of the war, assigned by the President in that message which recommended, and by the committee in the report which contained, a declaration of war, were impressment and the orders in council. I shall proceed to the examination of both topics. But I previously quote the words of the message and of the report. On the subject of impressment, the President states,

"The practice is so far from affecting British subjects alone, that, under the pretext of searching for these, THOUSANDS OF AMERICAN CITIZENS, under the safeguard of public law, and their national flag, have been torn from their country, and from every thing dear to them; have been dragged on board ships of war of a foreign nation; and exposed, under the severities of their discipline, to be exiled to the most distant and deadly climes; to risk their lives in the battles of their oppressors, and to be the melancholy instruments of taking away those of their own brethren."

And the committee, on the same topic, state,

"We will now proceed to other wrongs which have been more severely felt. Among these is THE IMPRESSMENT OF OUR SEAMEN, a practice which has been unceasingly maintained by Great Britain in the wars to which she has been a party since our revolution. *Your committee cannot convey in adequate terms the deep sense which they entertain of the injustice and oppression of this proceeding.* Under the pretext of impressing British seamen, our fellow-citizens are seized in British ports, on the high seas, and in every other quarter to which the British power extends; are taken on board British men of war, and compelled to serve there as British subjects. In this mode our citizens are wantonly snatched from their country and their families; deprived of their liberty; doomed to an ignominious and slavish bondage; compelled to fight the battles of a foreign country—and often to perish in them. Our flag has given them no protection; it has been unceasingly violated, and our vessels exposed to danger by the loss of the men taken from them. Your committee need not remark, that while the practice is continued, IT IS IMPOSSIBLE FOR THE UNITED STATES TO CONSIDER THEMSELVES AN INDEPENDENT NATION. Every new case is a proof of their degradation. Its continuance is the more unjustifiable, because *the United States have repeatedly proposed to the British government an arrangement which would secure to it the control of its own people.* An exemption of the citizens of the United States from this degrading oppression, and their flag from violation, is all that they have sought."

On the orders in council, the president observes,

"Under pretended blockades, without the presence of an adequate force, and sometimes without the practicability of applying one, OUR COMMERCE HAS BEEN PLUNDERED IN EVERY SEA. The great staples of our country have been cut off from their legitimate markets; and a destructive blow aimed at our agricultural and maritime interests. In aggravation of these predatory measures, *they have been considered as in force from the date of their notification;* a retrospective effect being thus added, as has been done in other important cases, to the unlawfulness of the course pursued. And to render the outrage the more signal, these mock blockades have been reiterated and enforced in the face of official communications from the British government, declaring, as the true definition of a legal blockade, "that particular ports must be actually invested; and previous warning given to vessels bound to them, not to enter."

"Not content with these occasional expedients for laying waste our neutral trade, the cabinet of Great Britain resorted, at length, to the sweeping system of blockades, under the name of orders in council, which has been

moulded and managed, as might best suit its political views, its commercial jealousies, or the avidity of British cruisers."

And the committee states,

By the orders in council of the 11th of November, 1807,

"The British government declared direct and positive war against the United States. *The dominion of the ocean was completely usurped by it; all commerce forbidden;* and every flag driven from it, or subjected to capture and condemnation, which did not subserve the policy of the British government by *paying it a tribute and sailing under its sanction. From this period the United States have incurred the heaviest losses and most mortifying humiliations. They have borne the calamities of war without retorting them on its authors.*"

I shall discuss each item separately.

1. *Orders in Council.*

To repel the charge of the war being "*founded in falsehood,*" so far as respects this item, it would be sufficient to establish their existence on the day war was declared. This is obvious. For if they existed, then the war could not be "*founded in falsehood.*" But I shall not rest satisfied with this alone.

War was declared at Washington on the 18th of June, 1812. The repeal, as it is called, of the orders in council, took place on the 23d of that month in London. It is clear, therefore, that the charge of "*falsehood*" here is utterly unfounded.

By an official statement presented to congress by the secretary of state on the 6th of July, 1812, it appears that the British captures, prior to the orders in council, were 528, and subsequent thereto 389.

It is difficult for me to form an estimate of the value of these vessels. I am no merchant, and have no adequate data to guide me. I have enquired of mercantile characters, and have been told, that from the great value of the cottons, tobaccoes, &c. of the outward cargoes to France, and the silks, brandies, &c. of the homeward cargoes, 30 or 40,000 dollars would be a fair average. But I will suppose 25,000 dollars for vessel and cargo, which, I presume, is not extravagant. This extends to the enormous amount of 13,200,000 dollars,

depredated previous to the orders in council; and

9,725,000 dollars,

during the existence of those orders; for the latter of which there was not the least chance of redress.

The sum, of which our citizens were despoiled, by no means constitutes the whole of the grievance. The enormous limitation and restriction of the trade of a sovereign and independent nation, was at least of equal magnitude, in point of outrage, with the pecuniary loss; for it is a sacred and

indisputable truth, that from Nov. 11, 1807, till the day war was declared, ☞ *American ships*, ☞ *owned by American merchants*, ☞ *navigated by American seamen, and* ☞ *laden with American productions*, ☞ *were liable to seizure and condemnation* ☞ *if bound to France, Holland, or the northern part of Italy.*

I implore the reader, by all that is candid, to consider this single sentence. Let him read it once more carefully. It is a fair statement of the relative situation of the two countries. ☞ *The commerce of the United States with nearly one third of the population of Europe was subject to condemnation!* Let him lay his hand on his heart, and answer the question, was not this adequate cause for war? Was not this a greater grievance than the sixpenny tax on tea, which led to the American Revolution? Have not more than nine tenths of all the wars that have ever existed, been declared for less causes? *We were forbidden by Great Britain,* ☞ *under penalty of confiscation, to carry on trade with* ☞ *above fifty millions of the inhabitants of Europe.* And yet we are gravely told, "the war was founded in falsehood!!!" Wonderful, wonderful delusion!!

☞ *At that period England herself carried on with France and her dependencies, under licenses,* ☞ *the very trade which she rendered illegal when carried on by the United States!!! And several American vessels, bound for France, and taken by British cruizers, were actually,* ☞ *without breaking bulk, taken into French ports by the captors, or those who purchased from them!!!*

Having presented to the reader a short specimen of the denunciations of the war, I lay before him some opinions of a directly contrary tendency.

The first authority is highly exalted and respectable. It is no less than the Emperor Alexander. This monarch, in the very commendable offer of his mediation, declares, that

"*His majesty takes pleasure in doing justice to the wisdom of the United States;* and is convinced that ☞ *it has done all that it could, to avoid this rupture.*"

The next authority is Governor Plumer, of New-Hampshire, who in a short speech to the legislature of that state, Nov. 18, 1812, states that Great Britain

"Has for a series of years by her conduct evinced a deadly hostility to our national rights, to our commerce, peace and prosperity. *She has wantonly impressed thousands of our unoffending seamen; immured them within the walls of her floating castles;* ☞ *held them in servitude for an unlimited period,* ☞ *often for life;* and compelled them to fight, not only with nations with whom we were at peace, but to turn their arms against their own country.

She has violated the rights and peace of our coasts; wantonly shed the blood of our citizens in our harbours; and instead of punishing has rewarded her guilty officers. Under pretended blockades, unaccompanied by the presence of an adequate force, she has unjustly deprived us of a market for the products of our industry; and, by her orders in council has, to a great extent, *swept our commerce from the ocean:* thus assuming a right to regulate our foreign trade in war, and laying a foundation to prescribe law for us in time of peace. *She has permitted her subjects publicly to forge and vend our ships' papers, to carry on a commerce with that very enemy from whose ports she interdicted our trade.* Whilst her accredited minister, under the mask of friendship, was treating with our government, her spies were endeavouring to alienate our citizens, subvert our government, and dismember the union of the states."

The senate of Massachusetts, June 26, 1812, agreed upon an address to the people of that state, of which I subjoin two paragraphs—

"We will not enter into a detail of the injuries inflicted on us, nor of the flimsy pretexts by which Great Britain has endeavoured to justify her outrages. It is sufficient to say, that she no longer pretends to disguise her ambitious designs, under pretence of retaliation on her enemy. She asserts her right to unbounded dominion, only because she assumes unbounded power. She annexes conditions to the repeal of her orders in council, which she knows we have no right to require of her enemy—which she knows are impossible—thus adding insult to injury—thus adding mockery to her long train of perpetrated injuries. *With the boldness of the highwayman, she has, at last, stripped the mask from violence,* and vindicates her aggressions on the only plea of tyrants, that of whim and convenience.

"It was not sufficient that we were remote from European politics, and courted peace under every sacrifice; acquiesced in minor injuries; remonstrated against those of a deeper die; ☞ *forbore until forbearance became pusillanimity;* and finally retired from the scene of controversy, with the delusive hope that a spirit of moderation might succeed that of violence and rapine. ☞ *We were hunted on the ocean.* Our property was seized upon by the convulsive grasp of our now open and acknowledged enemy, and ☞ *our citizens forced into a cruel and ignominious vassalage.* And when we retired, we were pursued to the threshold of our territory—outrages of an enormous cast, perpetrated in our bays and harbours; the tomahawk of the savage uplifted against the parent, the wife, the infant, on our frontiers; and spies and incendiaries sent into the bosom of our country, to plot the dismemberment of our union, and involve us in all the horrors of a civil war.

"The constituted authorities of the United States in congress assembled, submitting the justice of their cause to the God of battles, have at length declared war against this implacable foe; *a war for the liberty of our citizens;* ☞ *a war for our national sovereignty and independence;* ☞ *a war for our republican form of government against the machinations of despotism.*"

On the 26th of December, 1811, the legislature of Ohio, published a resolution and address on the subject of our foreign relations, in which they pledged themselves to a full support of the government, in the event of a declaration of war. This pledge they have nobly redeemed. I submit one paragraph of the address.

"The conduct of Great Britain towards this country is a gross departure from the known and established laws of nations. Our rights, as well those derived through the immemorial usages of nations, as those secured by compact, have been outraged without acknowledgment—even without remorse. Solemn stipulations by treaty and implied engagements, have given place to views of an overreaching, selfish, and depraved policy. ☞ *Life, liberty and*

property, have been the sport of measures, unjust, cruel, and without a parallel. The flag of freedom and of impartial neutrality has been wantonly insulted. *Tears of the widows and orphans of murdered Americans have flowed in vain.* Our countrymen have been torn from the embrace of liberty and plenty. The cords of conjugal, filial, fraternal, and paternal affection, have been broken. ☞ *Almost every sea, and ocean buoys upon its surface the victims of capture and impressment.* Vain is every effort and sacrifice for an honourable state of safety and tranquillity. Mission has followed mission—remonstrance has succeeded remonstrance—forbearance has stepped on the heels of forbearance, till the mind revolts at the thought of a prolonged endurance. Will the freemen of a still favoured soil unresistingly groan under the pressure of such ignominy and insult?"

The senate of Maryland, on the 22d of Dec. 1812, passed a set of resolutions, approving of the war, from which I subjoin an extract.

"Whenever the pursuit of a pacific policy is rendered utterly inconsistent with the national interest, prosperity and happiness, by the *unprovoked injuries and lawless outrages of a foreign power;* whenever those rights are assailed, without the full and perfect enjoyment of which a nation can no longer claim the character and attributes of sovereignty and independence; whenever the right of a free people to navigate the common highway of nations, for the purpose of transporting and vending the surplus products of their soil and industry at a foreign market, is attempted to be controlled and subjected to such arbitrary rules and regulations as the jealousy or injustice of a foreign power may think proper to prescribe; whenever their citizens, in *the exercise of their ordinary occupations and labouring to obtain the means of subsistence for themselves and their families, are torn by the ruthless hand of violence from their country, their connexions, and their homes;* whenever the tender ties of parent and child, of husband and wife, are wholly disregarded by *the inexorable cruelty of the unfeeling oppressor,* who, usurping the high perogative of heaven, and anticipating the dread office of death, converts those sacred relations unto a premature orphanage and widowhood—not that orphanage and widowhood which "spring from the grave" *unless the floating dungeons into which they are cast, and compelled to fight the battles of their oppressors, may be compared to the awful and gloomy mansions of the tomb;* whenever injuries and oppressions, such as these, are inflicted by a foreign power, upon the persons and properties of our citizens, and *an appeal to the justice of such power to obtain redress proves wholly useless and unavailing;* in such cases it is the duty of those to whom the sacred trust of protecting the rights of the citizen and the honour of the nation, is confided, to take such measures as the exigency of the case may require, to protect the one, and vindicate the other: Therefore

"*Resolved that the war waged by the United States against Great Britain, is just, necessary and politic; ought to be supported by the united strength and resources of the nation, until the grand object is obtained for which it was declared.*"

CHAPTER XLV.

Consideration of the Orders in Council continued. Strong and unequivocal reprobation of them by James Lloyd and James Bayard, Esqrs. and Governor Griswold. Extract of a letter from Harrison Gray Otis, Esq.

I MIGHT have dismissed this part of my subject with the last chapter. But as it is of vital importance—as Great Britain and the United States are at issue on it in the face of an anxious and enquiring world, whose judgment

we await on the subject—I judge it advisable to enter into it more fully.

The only defence ever attempted of these outrageous proceedings is on the principle of "*retaliation.*" This is completely invalidated by Mr. Baring, page 125. It is also unequivocally abandoned by the most prominent and influential leaders of the federal party.

James Lloyd, Esq. senator of the United States for the state of Massachusetts, a most decided federalist, a steady, undeviating, and zealous opposer of the administration and of all its measures, has pronounced sentence of condemnation, in the most unequivocal terms, upon the pretence of retaliation, in a speech delivered in senate on the 28th of February, 1812.

"*And how is it possible, that* ☞ *a third and neutral party can make itself* ☞ *a fair object of retaliation, for* ☞ *measures which it did not counsel—* ☞ *which it did not approve—* ☞ *which militate strongly with its interests—* ☞ *which it is and ever has been anxiously desirous to remove—which it has resisted by every means in its power, that it thought expedient to use, and of these means the government of the neutral country ought to be the sole judge—* ☞ *which it has endeavoured to get rid of even at great sacrifices!—* ☞ *how is it possible that a neutral country, thus conducting, can make itself a fair object of retaliation for measures which it did not originate—which it could not prevent, and cannot control!*—Thus, sir, to my view the ☞ ORDERS IN COUNCIL ARE WHOLLY UNJUSTIFIABLE, LET THEM BE BOTTOMED ☞ EITHER ON THE PRINCIPLE OF RETALIATION, ☞ OR OF SELF-PRESERVATION."

From Mr. Lloyd's authority on this topic I presume there will be no appeal. There cannot be. His decision is final. But I am not confined to Mr. Lloyd. Mr. Bayard, a gentleman of equal standing, a quondam senator of the United States from the state of Delaware, one of our late commissioners at Ghent, also a decided federalist, pronounced the same sentence on them—in a speech delivered in the senate of the United States, October 31, 1811—

"They were adopted as a measure of retaliation, though ☞ *they never deserved that character.* He had always considered the Berlin and Milan decrees ☞ *need as a mere pretext.* Those decrees were vain and empty denunciations in relation to England. *The plain design of the British government was* ☞ *to deprive France of the benefits of external commerce,* ☞ UNLESS THE PROFITS OF IT WERE TO BE DIVIDED WITH HERSELF. ☞ *This was fully proved by the licence trade.* ☞ *Britain carries on the very trade she denies to neutrals, and* ☞ *having engrossed the whole to herself,* ☞ *she excludes neutrals from a participation.*

"I am among the last men in the senate who would justify or defend the orders in council—☞ THEY VIOLATE THE PLAINEST RIGHTS OF THE NATION.—☞ *The ground of retaliation was never more than a pretext, and* ☞ *their plain object is to deprive France of neutral trade.* It never was contended, nor does Britain now contend, that she would be justified by the laws or usages of nations to interdict our commerce with her enemy. She ☞ COVERS HER INJUSTICE WITH THE CLOAK OF RETALIATION, and insists that she has a right to retort upon her enemy the evils of his own policy.—*This is a doctrine to which I am not disposed to agree.*—

IT IS DESTRUCTIVE TO NEUTRALS. *It makes them the prey of the belligerents.*

"IT IS A DOCTRINE WHICH WE MUST RESIST."

In addition to the authority of Messrs. Lloyd and Bayard, I beg leave to adduce that of the late governor of Connecticut, Roger Griswold, Esq. which, though not quite so unequivocal, is sufficiently strong to satisfy every candid reader.

On the 10th of October, 1811, eight months previous to the declaration of war, Governor Griswold, in an address to the Legislature, drew a strong portrait of the injustice of the belligerents towards us, and of the necessity of abandoning the pacific policy which our government had pursued, and adopting vigorous and decisive measures to enforce respect for our rights.

"It has been our misfortune to pursue a policy, which has rendered us contemptible in the eyes of foreign nations; and we are treated as a people, who are ready to submit to every indignity, which interest or caprice imposes upon us. It cannot, however, be too late *to retrieve the national honor*: and we ought to expect that our public councils will find, that ☞ *a manly, impartial, and decided course* of measures has now become indispensable—☞ *such a course as shall satisfy foreign nations, that whilst we desire peace, we have* THE MEANS AND THE SPIRIT TO REPEL AGGRESSIONS. The interests of the United States undoubtedly require a secure and honourable peace. But the only guarantee which ought or can with safety be relied on for this object, is a sufficient organized force, and ☞ SPIRIT TO USE IT WITH EFFECT, when no other honourable means of redress can be resorted to. The extensive resources, aided by the geographical situation of our country, have furnished every necessary means for defending our territory and our commerce: and ☞ WE ARE FALSE TO OURSELVES, WHEN EITHER [i. e. our territory or our commerce,] IS INVADED WITH IMPUNITY."

No dispassionate reader can deny that Governor Griswold in this speech makes very strong and unequivocal declarations of the necessity of vigorous, and decisive, that is to say, of warlike measures. It is impossible otherwise to interpret the impressive style in which he invokes the "*spirit to use the organised force with effect*"—and the declaration that "*we are false to ourselves when we allow our commerce or our territory to be invaded with impunity.*"

On the 12th of May, 1812, only five weeks before the declaration of war, the Legislature of Connecticut met again. Governor Griswold addressed them once more on the same subject. He explicitly declared, that

"☞ *the last six months do not appear to have produced any change in the hostile aggressions of foreign nations on the commerce of the United States.*"

And after referring to, and justly reprobating the burning of our vessels by the French, he emphatically adds,

"☞ *Such, however, has been the character of both, that* NO CIRCUMSTANCE CAN JUSTIFY A PREFERENCE TO EITHER."

I beg the reader will give these documents a due degree of consideration. It appears that Governor Griswold, on the 10th of October, 1811, unequivocally pronounced an opinion, that the aggressions of Great Britain and France were of such a nature as to warrant resistance by war. He denounced the pacific policy we had pursued as rendering us "*contemptible in the eyes of foreign nations,*" who in consequence regarded "*us as a people ready to submit to every indignity which interest or caprice might impose upon us.*" He called upon the government to change its system, and to convince foreign nations, that "*we have the means and the spirit to resent foreign aggressions.*"—And finally declares "*we are false to ourselves when we suffer our commerce or our territory to be invaded with impunity.*" Seven months afterwards, he reviews these declarations, and states that "*no circumstance could justify a preference to either*" France or England, both had so grossly outraged our rights. And yet, reader, what must be your astonishment to be told, that this same Governor Griswold, immediately after the war was declared, which his speech appears to have urged, arrayed himself among and was a leader of the "*friends of peace,*" who denounced the war as wicked, and unjust and unholy!!!

I might have rested the cause on the united testimony of Mr. Lloyd, and Mr. Bayard, and Governor Griswold. They are fully sufficient for my purpose. No candid or honest man can resist them. They all with concurring voice establish the strong, the decisive fact, that there was ample and adequate cause of war. But regarding the subject as of immense and vital importance, I am determined "*to make assurance doubly sure.*" I therefore solemnly cite before the public another evidence, still more powerful, still more overwhelming, to prove that the war was not founded in falsehood—to prove that it was both just and righteous.

This evidence is the honorable Harrison Gray Otis, Esq. a gentleman of considerable talents, great wealth, high standing, and most powerful influence in the state of Massachusetts, who has acted a very conspicuous and important part in the extraordinary events of our era. He was formerly a senator of the United States—recently a member of the legislature of Massachusetts—one of the principal movers of the appointment of, and a delegate to, the Hartford Convention; (which legislature and convention denounced the war as unjust, and wicked, and profligate)—and finally one of the delegates to Washington, to negotiate with the president on the part of the eastern states. It is hardly necessary to add—but I shall be pardoned, I trust,

for adding, that there is not in the United States a more uniform, undeviating, and zealous opposer of the party in power—a more decided antigallican—or a citizen less disposed to censure England or her measures unjustly, than Mr. Otis.

This gentleman, on the 14th of January, 1812, addressed to a friend in London, a letter on the relations of the two nations—which displays no small share of public spirit, and breathes a most fervent desire for the repeal of the orders in council, in order to remove the indignation and abhorrence they excited in the United States.

This letter was published in London; and, had not the counsellors of his Britannic majesty been most fatally and egregiously misguided, would have produced an immediate and decisive effect, and saved the two countries from the horrors of warfare.

One of the democratic papers in Boston, I believe the Patriot, republished the letter, with comments injurious to Mr. Otis, of which I have a very imperfect recollection. They appeared to me ill-founded at the time. Major Russel, editor of the Centinel, admitted the authenticity of the letter, which he republished; girded on his armour; and fully defended the writer and his production. He proved to the satisfaction of the public, that no inference could fairly be drawn from that communication, inculpating the moral or political character of Mr. Otis, who, on the contrary, deserved applause for the part he took in this affair. The ideas of the editor of the Centinel were just and correct. These views are given from memory. But the strong impression the affair made on my mind at the time, convinces me that they are essentially just.

With these explanations I submit the letter to the reader, whom I beseech to give it due attention. It will bear thrice reading. On the subject I am discussing, it is final and decisive. Never was there a more irresistible document.

Extract of a letter from Harrison Gray Otis, Esq. to a friend in London, dated Boston, Jan. 14, 1812.

"You will perceive by the papers that our government profess the intention to assume a very warlike attitude; *and that the* ☞ *sentiment of indignation throughout the country at the continuation of the orders in council,* ☞ IS LOUD AND UNIVERSAL FROM BOTH PARTIES! The motives which induce your government to continue them, are ☞ *quite incomprehensible to the* BEST FRIENDS *of Great Britain in this country; and the effect will be to make every man* ODIOUS *who dares to express a wish for your success and prosperity; a sentiment still common to our best men, but which an adherence to this system will impair and destroy.*

"It is too true, that the repeal of the Berlin and Milan decrees has been less formal than it should have been; and that our administration have become willing dupes to the insidious policy of Napoleon.

"But *why should your government mind this?* Why should they not embrace any pretence for restoring harmony between our two countries, especially as it will of consequence be followed by hostility on the part of France? Napoleon will renew his outrages the moment we are friends; and *the natural ties which cement Great Britain and America, will be drawn closer.* On the contrary, the scrupulous adherence of your cabinet to an *empty punctilio,* will too probably *unite the whole country in opposition to your nation,* and sever for generations, perhaps for ever, *interests which have the most natural affinity,* and MEN WHO OUGHT TO FEEL AND LOVE LIKE BRETHREN."

Let us canvass this precious document attentively. It is fraught with meaning, and flashes conviction. Every sentence is of vital importance. Mr. Otis states that "*the sentiment of indignation against the orders in council was loud and universal from both parties.*" This declaration from such a quarter is overwhelming—it is irresistible. It proves the strong sense prevalent of the outrage and injustice of the orders in council. The concurrence of both parties, who so rarely agree in any point, demands particular attention And surely Mr. Otis himself, or Mr. Pickering, or Mr. King, will not deny that it is fair to infer that he must have regarded the orders in council as unjust, and wicked, and oppressive, and piratical, and utterly indefensible, when he candidly confesses, that a continuance of them would "*produce the effect to render any man odious who dared to express a wish for the success and prosperity*" of Great Britain.

Mr. Otis deprecated a war with England as one of the mightiest evils. He appears to have regarded these orders as not merely cause of war—but as likely to produce war, if continued.

What language shall I use, reader, to fix your attention to this most solemn part of my subject? Mr. Otis is so thoroughly impressed with a conviction of the injustice of the orders in council, that he explicitly states to his correspondent, that the "*sentiment of indignation throughout the country,*" at their continuance, "*is loud and universal from both parties.*" and that "*the effect of their continuance will be, to render odious every man who dares to express a wish for the success and prosperity of England*"—and further, that "*an adherence to an empty punctilio will sever the two nations perhaps for ever.*" Let it be observed that these declarations were made January 11, 1812, only five months before the declaration of war—and further, that no alteration or mitigation of the rigour of these orders had taken place when war was declared. When these points are duly weighed, let the reader consider that this same Harrison Gray Otis was one of the prime movers of a seditious, I might say a treasonable opposition to the war, on the ground

of its having been "profligate and unjust." It is impossible for language to do justice to the astonishment these reflections are calculated to excite. Mr. Otis was a member of the senate of Massachusetts, in February, 1814, when a report of both houses declared, "that the war, so fertile in calamities, *was waged with the worst possible views, and carried on in the worst possible manner, forming a union of weakness and wickedness, which defies for a parallel the annals of the world!!!*"

Here I close this part of the discussion. It were superfluous to add a line. The reader will have no difficulty to decide.

A few more strong facts, and I shall have done.

On the 18th of December, 1808, a vote was taken in the house of representatives of the United States, on the following resolution:

"*Resolved*, That the United States cannot without a sacrifice of their rights, honour and independence, submit to the late edicts of Great Britain and France.

"And decided in the affirmative as follows; yeas 118; nays 2.

"Yeas.—Messrs. Alexander, W. Alston, L. Alston, Bacon, Bard, *Baker*, Bassett, Blackledge, Blake, Blount, *Boyd*, Boyle, Brown, Burwell, Butler, Calhoun, Campbell, *Champion*, *Chittenden*, Clay, Clopton, Culpepper, Cutts, *Davenport*, Dawson, Deane, Desha, Durell, Elliot, *Ely*, Findley, Fisk, Franklin, Gardner, Garnet, Gholson, Goodwyn, Gray, Green, Harris, Helster, Helms, Holland, Holmes, Howard, Humphreys, Isley, J. G. Jackson, R. S. Jackson, Jenkins, Johnson, Jones, Kelly, Kenan, *Key*, Kirkpatrick, Lambert, Lewis, Lloyd, Macon, Marion, Masters, M'Creery, *Milnor*, D. Montgomery, J. Montgomery, N. R. Moore, T. Moore, Jer. Morrow, Jno Morrow, *Mosely*, Mumford, Nelson, *Newbold*, Newton, Nicholas, *Pitkin*, Porter, *Quincy*, *Randolph*, Rea, Rhea, J. Richards, M. Richards, Russel, Say, Seaver, Shaw, Sloan, Smelt, Smilie, J. K. Smith, J. Smith, Southard, *Stanford*, Stedman, Storer, *Sturges*, *Taggart*, *Tallmadge*, *Taylor*, Thompson, Trigg, Troup, Upham, Van Allen, *Van Cortlandt*, Van Horn, Van Rensselaer, Verplank, Wharton, Whitehill, Wilbour, Williams, A. Wilson, N. Wilson, Winn.—118.

"Nays.—Messrs. Gardenier, Hoge.—2."

This is a vote of immense importance in the decision of the question which I have been discussing. One hundred and eighteen members out of one hundred and twenty, have recorded their deliberate opinion that "*to submit to the edicts of Great Britain and France*" would be "*a sacrifice of the rights, honour, and independence*" of the United States.

Our government had used every conceivable peaceable means to induce Great Britain to revoke her orders in council, to which, according to those gentlemen, we could not submit, without "*a sacrifice of our rights, honour and independence.*" But every effort had been in vain. The orders in council remained unrevoked.*

Yet many of these gentlemen, thus solemnly pledged and committed, voted against the war, as unjust and unholy and

* See this
Representat
page 372.

wicked; and spared no pains to excite a seditious, a treasonable opposition to it, on the pretext of that injustice and wickedness!

Can the human mind conceive a stronger and more indefensible contradiction than this? It is impossible.

The war was in resistance of the orders in council, and according to these gentlemen, was, of course, a war to prevent "a sacrifice of the rights, honour, and independence of the United States." And if ever war can be just and holy, it surely is then just and holy, when it is waged in defence of "the rights, honour, and independence of a nation."

I cannot allow myself to believe, that I shall have a single reader who will doubt or deny the correctness of this inference. It is irresistible. These gentlemen are fairly committed in the face of their country and of all Christendom.

It may be said, and has been said ten thousand times, that the same pledge was given on the subject of the French decrees; and that war ought to have been declared against one nation as well as the other. To this there are two replies. One, that the French government did repeal its decrees, although in a very ungracious and uncourteous manner. But ungracious, and uncourteous, and indecorous as it was, *they were repealed.* That this was the fact, I appeal to Mr. Otis. He has completely settled this point for ever. On the 14th of January, 1812, as we have seen, in a confidential letter to a friend, he declared, not that the decrees were unrepealed—but that "*the repeal was less formal than it should have been.*" The reader who does not find that this is a decisive admission that they were actually repealed, must be wilfully blind. The other reply embraces an important fact. When the question of war against Great Britain was under discussion in Congress, Mr. M'Kee, of Kentucky, ☞ *moved for a declaration of war against France, as well as her enemy.* The motion, on a division of the house, was negatived by a very large majority. Ten members only* voted in the affirmative, of whom ☞ *seven were democrats*—and ☞ *but three federalists! All the other federalists voted in the negative!* This for ever closes the clamour on the subject of the propriety of declaring war against France.

Here I make a solemn pause. The orders in council were, as we have seen, one of the most prominent grounds

* See this fact stated in the speech of Mr. Clay, speaker of the House of Representatives of the United States, Jan. 8, 1813, Weekly Register, vol. iii. page 372.

of war. I have established their existence and their flagitious injustice at the time of that declaration. Yet the senate of Massachusetts has declared that "*the war was founded in falsehood!!!*"

When I stated *the enormous transit duty* the British ministry attempted to collect for ☞ *permission to trade with France*, I mentioned, that to such an extravagant length was their violation of neutral rights and of our independent sovereignty carried, that, wonderful to tell, they affected to consider the permission to trade on these terms, *as a special favour!* Lest the reader might doubt or disbelieve this astonishing, this monstrous, this dishonourable, this unparalleled fact, I give him the most unequivocal authority—the celebrated Francis James Jackson. This gentleman, in a letter to the secretary of state, dated October 11, 1812, expressly states—

☞ *The option given to neutrals* ☞ *to trade with the enemies of Great Britain* ☞ *through British ports* ☞ ON PAYMENT OF A TRANSIT DUTY, was originally devised and intended ☞ as a MITIGATION *of what is certainly more correct, but more rigid in principle*—☞ THE TOTAL AND UNQUALIFIED INTERDICTION OF ALL TRADE WITH THE ENEMY!!"

There is one point of view in which the pretensions of England ought to be considered, to show their palpable and shocking injustice, their utter disregard of the rights of this nation, and their total departure from the most solemn professions previously made.

By these professions England had pledged herself to repeal the Orders in Council as soon as the Berlin and Milan decrees were repealed, so far as those decrees affected our intercourse with England. We had no right to demand of France to go further than this in her repeal. It would have been the most arrogant presumption for our government to have prescribed to France any regulation of such parts of her trade as we were not interested in. Yet England did require a repeal of her decrees as they affected her trade with other nations, as a *sine qua non* to the repeal of the orders as they affected the trade of the United States.

This has been repeatedly denied, and with the utmost confidence. But denial is not disproof. And unfortunately for the friends of England, the fact has become matter of historical record. It is to be found in a document of the most indisputable authenticity. On the 18th of June 1812, only eight days before the declaration of war, Mr. Foster, the British minister at Washington, wrote a letter to our government, in which this idea is distinctly and unequivocally avowed in the following words:

"I have no hesitation, sir, in saying, that Great Britain, as the case has hitherto stood, *never did, nor ever could engage, without the greatest injustice to herself and her allies, as well as to other neutral nations, to repeal her orders, as affecting America alone, leaving them in force against other states, upon a condition that France would except, singly and specially, America from the operation of her decrees.*"

Whatever reprobation the system here avowed, loudly calls for on the ground of its gross and flagrant injustice, we must approve the candour of Mr. Foster, which clothes it in all its genuine and intrinsic deformity, and holds up to the abhorrence of the fair and upright part of mankind of all nations.

England at this time stood pledged to this country, by repeated declarations, promulgated with the utmost solemnity, to proceed *pari passu* with France. But notwithstanding these solemn pledges so often reiterated, she at last fairly come out with her declaration, that the repeal of the decrees as affecting America was to produce no effect on the Orders in Council as affecting this country. That is, as plainly as can be, that unless we could prevail on France to cease the operation of her decrees upon British trade generally, we had no reason to hope for a relaxation of the rigour and injustice of her Orders in Council. This is a new explanation of a *pari passu*, and would of itself, had it stood alone, afforded full justification of the declaration of hostilities.

No man who has the least regard to his character—who is not deprived by faction and party violence of the moral sense—can, after a perusal of the preceding observations and facts, hesitate what sentence to pronounce on the accusation, that "*the war was founded in falsehood.*"

CHAPTER XLVI.

Enquiry into the justice of the war continued. A clear, explicit and unanswerable defence of it, on the ground of impressment alone, independent of all the other grievances, by the unexceptionable testimony of the honourable James Lloyd, Esq. of Massachusetts.

Impressment.

Of the enormity of this horrible grievance, which *cries to heaven for vengeance*, I have given such copious details, in chapters 31, to 38, that I need not enter deeply into it here.

That it was ample and adequate cause of war, no man can deny, who reads the letter from commodore Porter, page 210—and the extract from the log book of the Guerriere, page 211—whereby it is indisputably established that there were no less than the enormous number of forty five American impressed seamen on board three British vessels.

I must once more beg leave to introduce to the reader, James Lloyd, Esq. When I shelter myself under such authority as Messrs. Otis, Pickering, Lloyd, &c. I deem myself impregnable.

Extract of a letter from the hon. James Lloyd to the hon. Mr. Perkins.

"*If Great Britain* ☞ *did claim and exercise the right to impress into her service the real, bona fide, native citizens of the United States, an interminable war with her, or with all the nations of the earth (if it could not be otherwise prevented) might be alike just, necessary and commendable.* The ocean, for the use of the great family of mankind, should own no chartered privileges. In a time of neutrality, while abstaining from injury to others, it should be as free as air, to all who navigate it, and the ☞ IMPRESSMENT OF A NATIVE AMERICAN CITIZEN ☞ *innocent of crime, and* ☞ *owing elsewhere no primary or paramount allegiance,* ☞ *and prosecuting a lawful commerce,* ☞ *in a vessel of his own country, is, as it respects the individual, and* ☞ *as it regards* an infringement of rights, ☞ AS GROSS A VIOLATION AS IF HE WERE ARRESTED, TORN AND TRANSPORTED INTO SLAVERY FROM HIS PATERNAL ROOF OR DOMESTIC ALTAR." Boston Centinel, March 6, 1813.

The mind glows with animation on reading these noble, these dignified, these manly sentiments, worthy of the most illustrious heroes of the revolution! What a wonderful contrast between them and the groveling report of the committee of the legislature of Massachusetts! This single extract were sufficient to justify the war, had there been no other ground than impressment alone.

From the commencement of the French revolutionary war till the declaration of hostilities took place, our vessels were arrested wherever met with by British vessels of war—the crews overhauled—the British captains seized and enslaved whom they pleased—as they were, in the strong language of Cobbett—"ACCUSERS, WITNESSES, JUDGES, AND CAPTORS."

England would have made war against all the nations of Europe in succession, had they dared to impress her seamen. And what right had she to claim a religious veneration for her flag, when she was in the daily practice of violating ours in the grossest manner?

I request the reader's attention to this subject. Mr. Lloyd unites "*the claim*" and "*the exercise.*" The former is unimportant in itself, and does not affect the question. Suppose England to "*claim a right*" to all our vessels—to our territory—to our persons—it is no cause of war. But

the moment she attempts "*to exercise* the right" to seize any of them, resistance becomes a duty.

It thus appears, that the expression "claim" is mere verbiage. I do by no means believe it was employed to delude the reader. But I do aver that such is its effect.

☞ "*The exercise*" then "*by Great Britain, of the right to impress into her service* ☞ *the real bona fide native citizens of the United States* ☞ *would,*" by the explicit and unexceptionable declaration of James Lloyd, "*justify an interminable war with her.*"

The question, reader, is thus reduced within a narrow compass. It only remains to be ascertained whether "she exercised" the execrable "right of impressment" of "real bona fide citizens" or not. If she did, the war, according to Mr. Lloyd, was just. To prove the fact beyond the possibility of doubt, I call in very high authority. I will give up for a moment my own calculation of 7000—the secretary's statement of 6700—and even lord Castlereagh's admission of 1600.* I will rely upon the committee of the legislature of Massachusetts, and upon the reverend Mr. Taggart, member of congress from that state.

The latter admits there were three hundred impressed American seamen on board the British navy on the declaration of war. And a committee of the house of representatives of Massachusetts, (☞ "*as far as their enquiries went*") admit that there were eleven impressed natives of the state on board that navy.

I proceed logically. As "the exercise of the right" of impressing the ☞ "real bona fide native citizens of the United States into the service of Great Britain, would justify an ☞ *interminable war with her or all the nations of the earth,*"—and as we have clearly established that there were ☞ at all events, 300 native citizens of the United States so impressed—it follows that Mr. Lloyd must justify the late war—and will not dare to assert that it was "*founded on falsehood.*" Q. E. D.

Before I close the subject, I beg leave to introduce higher personages on the stage.

The prince regent has publicly declared, that, "it is known to the world that this country, [Great Britain] was not the aggressor in this war."

And the lords of the admiralty, in their proclamation, dated April 1814, (see page 59,) express their regret on the subject of "*the unprovoked aggression of the American go-*

* Lord Castlereagh in the British parliament, I am assured and confidently believe, admitted this number.

vernment in declaring war after all the causes of its original complaint had been removed."

To enter the lists against such formidable antagonists, is really bold and daring. But I venture to assert, and hope I have proved, that the war was not "founded in falsehood;"—that Great Britain was notoriously "the aggressor;" and that none of "the original causes of complaint had been removed" previous to the declaration of war.

Just as this page was going to press, I met with an important document, which bears powerfully and unanswerably on this topic. It is entitled

"An abstract of the returns or lists received from General Lyman, of American seamen and citizens, who have been impressed and held on board his Britannic majesty's ships of war, from the 1st of October, 1807, till the 31st of March, 1809."

The whole number of impressed men included in these returns, is	873
Of whom were discharged	237
Applications unanswered	103
In ships on foreign stations	48
Deserted	32
British subjects	98
Having voluntarily entered	34
Married in England or Ireland	7

The remaining 264 were refused to be discharged on various grounds, of irregularity of documents, &c. &c.—But let it be borne in eternal remembrance, that *of the whole number 873, there were only 98 who were detained as British subjects!*

This single document is of itself abundantly sufficient to condemn, beyond the power of appeal or justification, the odious practice of impressment. Eight hundred and seventy three persons, sailing under the American flag, which ought to have ensured them full and complete protection, are seized with every circumstance of outrage, oppression, injury, and injustice, as British subjects—are torn from their friends and families and country—are compelled to fight the battles of Great Britain, at the risque of being slaughtered by her enemies—they are subject to the most ignominious punishment, if they dare refuse to serve; and yet, good heavens! what an abomination! when their cases are fully investigated, it is found that only 98 of them are asserted to be—*though they were all stolen under pretence that they were—British subjects!!!*

I make a solemn appeal on this subject—not to the United States—not to the British nation—not to France—but to the whole world—and boldly aver, and dare contradic-

tion, that no nation ever perpetrated such atrocious, such horrible, such lawless violence on another nation, in a state of pretended peace and friendship, and that no nation, with equal means of defence and offence, ever before submitted to such humiliation, such degradation, as has been heaped on the United States.

CHAPTER XLVII.

Turbulence of Boston. Boston acts on Massachusetts. Massachusetts acts on the other eastern states. Jealousies and discord sedulously excited. Hateful picture of the southern states. Commercial and anti-commercial states. Enquiry into the claims of the eastern states. Yankeeism. Moral and religious people.

BOSTON, the metropolis of Massachusetts, has been, for a long period, and more particularly since the close of the reign of federalism, the seat of discontent, complaint and turbulence. It has been itself restless and uneasy—and has spread restlessness and uneasiness in every direction. It has thwarted, harassed, and embarrassed the general government, incomparably more than all the rest of the union together.

Whatever difficulty or distress arose from the extraordinary circumstances of the times—and great difficulty and distress were inevitable—was aggravated and magnified to the highest degree, for the purpose of inflaming the public passions. The leaders in this business were clamorous, when we were at peace in 1793, and in 1806, for war against England, on account of her depredations on their commerce, and in 1807, on account of the attack on the Chesapeake. They were equally clamorous, as we have seen, in 1803, for war against Spain, for the interruption of the right of deposit at New Orleans, and denounced, in the most virulent stile, the imbecility and cowardice of the government. Yet from the moment when war was declared, they clamoured for peace, and reprobated the war as wicked, unjust, and unnecessary, although the causes of war were incomparably greater in 1812, than in 1793, 1803, 1806, or 1807.* They made every possible effort to raise obstructions and difficulties, in the prosecution of the war: and ☞ *yet reprobated the administration for their imbecility in carrying it on.* They reduced the government to bankruptcy, as I trust I shall prove; and ☞ *reproached it for its necessities and em-*

* See chapters 43 and 44.

harrassments. In a word, all their movements have had and still have but one object, to enfeeble and distract the government. This object has been too successfully attained.

With a population of only 43,000 inhabitants, and with a commerce quite insignificant, compared with that of New-York, Philadelphia, Baltimore, or Charleston, Boston has, by management and address, acquired a degree of influence beyond all proportion greater than its due share—greater in fact than the above four cities combined—a degree of influence which has been exercised in such a manner as to become dangerous to public and private prosperity and happiness, and to the peace and permanence of the union. It brought us to the very verge of its dissolution, and nearly to the awful consequence—a civil war.

The movers of this mighty piece of machinery—this lever that puts into convulsive motion the whole of our political fabric, are few in number. But they are possessed of inordinate wealth—of considerable talents—great energy—and overgrown influence. They afford a signal proof how much a few men may effect by energy and concert, more especially when they are not very scrupulous about the means, provided the ends are accomplished. A northern confederacy has been their grand object for a number of years. They have repeatedly advocated in the public prints a separation of the states, on account of a pretended discordance of views and interests of the different sections.

This project of separation was formed shortly after the adoption of the federal constitution. Whether it was ventured before the public earlier than 1796, I know not. But of its promulgation in that year, there is the most indubitable evidence. A most elaborate set of papers was then published in the city of Hartford, in Connecticut, the joint production of an association of men of the first talents and influence in the state. They appeared in the Connecticut Courant, published by Hudson and Goodwin, two eminent printers, of, I believe, considerable revolutionary standing. There were then none of the long catalogue of grievances, which, since that period, have been fabricated to justify the recent attempts to dissolve the union. General Washington was president; John Adams, an eastern citizen, vice-president. There was no French influence—no Virginia dynasty—no embargo—no non-intercourse—no terrapin policy—no democratic madness—no war.—In fine, every feature in the affairs of the country was precisely according to their fondest wishes.

These essays under the signature of Pelham, were republished in Philadelphia, in a paper called the New World, edited by Mr. S. H. Smith.

To sow discord, jealousy, and hostility between the different sections of the union, was the first and grand step in their career, in order to accomplish the favourite object of a separation of the states.

In fact, without this efficient instrument, all their efforts would have been utterly unavailing. It would have been impossible, had the honest yeomanry of the eastern states continued to regard their southern fellow-citizens as friends and brethren, having one common interest in the promotion of the general warfare, to make them instruments in the hands of those who intended to employ them to operate the unholy work of destroying the noble, the august, the splendid fabric of our union and unparalleled form of government.

For eighteen years, therefore, the most unceasing endeavours have been used to poison the minds of the people of the eastern states towards, and to alienate them from, their fellow-citizens of the southern. The people of the latter section have been pourtrayed as demons incarnate, and destitute of all the good qualities that dignify or adorn human nature—that acquire esteem or regard—that entitle to respect and veneration. Nothing can exceed the virulence of these caricatures, some of which would have suited the ferocious inhabitants of New-Zealand, rather than a civilized or polished nation.

To illustrate, and remove all doubt on, this subject, I subjoin an extract from Pelham's essay, No. I.

"Negroes are, in all respects, except in regard to life and death, the cattle of the citizens of the southern states. ☞ *If they were good for food, the probability is, that even the power of destroying their lives would be enjoyed by their owners, as fully as it is over the lives of their cattle.* ☞ *It cannot be, that their laws prohibit the owners from killing their slaves, because those slaves are human beings, or because it is a moral evil to destroy them.* If that were the case, how can they justify their being treated, in all other respects, *like brutes?* for it is in this point of view alone, that negroes in the southern states are considered in fact *as different from cattle.* They are bought and sold—they are fed or kept hungry—they are clothed, or reduced to nakedness—they are beaten, turned out to the fury of the elements, and torn from their dearest connexions, *with as little remorse as if they were beasts of the field.*"

Never was there a more infamous or unfounded carjcature than this—never one more disgraceful to its author. It may not be amiss to state, and it greatly enhances the turpitude of the writer, that at the period when the above was written, there were many slaves in Connecticut, who

were subject to all the disadvantages that attended the southern slaves.

Its vile character is further greatly aggravated by the consideration that a large portion of these very negroes, and their ancestors, had been purchased, and rent from their homes and families, by citizens of the eastern states, who were actually at that moment, and long afterwards, engaged in the Slave Trade.

I add a few more extracts from Pelham :—

"We have reached a critical period in our political existence. The question must soon be decided, *whether we will continue a nation, at the expense even of our union*, or sink with the present mass of difficulty into confusion and slavery.

"Many advantages were supposed to be secured, and many evils avoided, by an union of the states. I shall not deny that the supposition was well founded. But at that time those advantages and those evils were magnified to a far greater size, than either would be if the question was at this moment to be settled.

"The northern states can subsist as a nation, a republic, *without any connexion with the southern*. It cannot be contested, that if the southern states were possessed of the same political ideas, an union would still be more desirable than a separation. But when it becomes a serious question, whether we shall give up our government, or part with the states south of the Potomac, no man north of that river, whose heart is not thoroughly democratic, can hesitate what decision to make.

"I shall in the future papers consider some of the great events which *will lead to a separation of the United States;* show the importance of retaining their present constitution, even at the expense of a separation; *endeavour to prove the impossibility of an union for any long period in future, both from the moral and political habits of the citizens of the southern states;* and finally examine carefully to see whether *we have not already approached to the era when they must be divided.*"

It is impossible for a man of intelligence and candour to read these extracts, without feeling a decided conviction that the writer and his friends were determined to use all their endeavours to dissolve the union, and endanger civil war and all its horrors, in order to promote their personal views. This affords a complete clue to all the seditious proceedings that have occurred since that period—the unceasing efforts to excite the public mind to that feverish state of discord, jealousy, and exasperation, which was necessary to prepare it for convulsion. The parties interested would on the stage of a separate confederacy perform the brilliant parts of kings and princes, generals and generalissimos—whereas on the grand stage of a general union, embracing all the states, they are obliged to sustain characters of perhaps a second or third rate. "*Better to rule in hell, than obey in heaven.*"

The unholy spirit that inspired the writer of the above extracts, has been, from that hour to the present, incessantly employed to excite hostility between the different sections

of the union. To such horrible lengths has this spirit been carried, that many paragraphs have occasionally appeared in the Boston papers, intended, and well calculated to excite the negroes of the southern states to rise and massacre their masters. This will undoubtedly appear incredible to the reader. It is nevertheless sacredly true. It is a species of turpitude and baseness, of which the world has produced few examples.

Thus some progress was made. But it was inconsiderable. While the yeomanry of the eastern states were enriched by a beneficial commerce with the southern, they did not feel disposed to quarrel with them for their supposed want of a due degree of piety or morality.

A deeper game was requisite to be played, or all the pains taken so far, would have been wholly fruitless. And this was sedulously undertaken. The press literally groaned with efforts to prove five points, wholly destitute of foundation.

First, That the eastern states were supereminently commercial.

Secondly, That the states south of the Susquehanna were wholly agricultural.

Thirdly, That there is a natural and inevitable hostility between commercial and agricultural states.

Fourthly, That this hostility has uniformly pervaded the whole southern section of the union. And

Fifthly, That all the measures of congress were dictated by this hostility; and were actually intended to ruin the commercial, meaning the eastern states.

I do not assert that these miserable, these contemptible, these deceptious positions were ever laid down in a regular form, as theses to argue upon. But I do aver, that they form the basis of three-fourths of all the essays, paragraphs, squibs, and crackers, that have appeared in the Boston papers against the administration for many years past. "The Road to Ruin," ascribed to John Lowell, now before me, is remarkable for its virulence, its acrimony, its intemperance, and for the talents of the writer. He undoubtedly places his subject in the strongest point of light possible for such a subject. But if you extract from his essays, the assumption of these positions, all the rest is a mere *caput mortuum*—all "sound and fury." On these topics the changes are rung in endless succession. The same observation will apply, and with equal force, to hundreds and thousands of essays and paragraphs, written on the same topic.

Never was the—*gutta non vi, sed saepe cadendo*—more completely verified. These positions, however absurd, how-

ever extravagant, however ridiculous they appear in their naked form, have, by dint of incessant repetition, made such an impression upon the minds of a large portion of the people of the eastern states, that they are as thoroughly convinced of their truth, as of any problem in Euclid.

Boston having acted upon and inflamed Massachusetts, that state acted upon, and put in movement, the rest of the eastern states, more particularly Connecticut and Rhode Island. New Hampshire and Vermont are but partially infected with the turbulent and jacobinical spirit that predominates in Massachusetts.

It thus happens, that a people proverbially orderly, quiet, sober, and rational, were actually so highly excited as to be ripe for revolution, and ready to overturn the whole system of social order. A conspiracy was formed, which, as I have stated, and as cannot be too often repeated, promised fair to produce a convulsion—*a dissolution of the union—and a civil war*, unless the seduced people of that section of the union could be recovered from the fatal delusion they laboured under, and restored to their reason.

I shall very briefly, and without much attention to order or regularity, consider these positions. They are not entitled to a serious refutation, but merely as they have been made the instruments of producing so much mischief.

Before I touch upon the commercial points, I shall offer a few observations on the high and exalted pretensions of the people of the eastern states, to superior morality and religion, over the rest of the union. There has not been, it is true, quite so much parade with these exclusive claims as on the subject of commerce. Perhaps the reason is, that there was no political purpose to be answered by them.—But that the people of that section of the union are in general thoroughly persuaded that they very far excel the rest of the nation in both religion and morals, no man who has been conversant with them can deny. This folly of self righteousness, of exalting ourselves above others, is too general all over the world; but no where more prevalent, or to greater extent, than in the eastern states. To pretend to institute a comparison between the religion and morals of the people of Boston and those of Philadelphia, New-York, or Baltimore, would be regarded as equally extravagant and absurd, with a comparison of the gambols of a cow to the sprightly and elegant curvetings of an Arabian courser. The Rev. Jedidiah Morse has in some degree devoted his geography to, and disgraced it by, the perpetuation of this vile prejudice. Almost every page that respects his own section of the union is highly encomiastic. He co-

lours with the flattering tints of a partial and enamoured friend. But when once he passes the Susquehannah, what a hideous reverse!—Almost every thing is there frightful caricature. Society is at a low and melancholy ebb, and all the sombre tints are employed to elevate, by the contrast, his favourite Elysium, the eastern states. He dips his pen in gall when he has to pourtray the manners, or habits, or religion, of Virginia or Maryland, either of the Carolinas or Georgia, or the western country.

I should enter far into the consideration of this procedure of Mr. Morse, but that it has been ably discussed by a superior pen. The editor of the Port Folio, himself a decided federalist, reprobates, and pronounces a just and eternal condemnation on the illiberality of making a school, or indeed any other, book, a vehicle to excite animosities between fellow citizens of different portions of the same nation.

The character of the eastern states for morality has been various at various times. Not long since it was at a very low ebb indeed. It is within the memory of those over whose chins no razor has ever mowed a harvest, that Yankee and sharper were regarded as nearly synonimous. And this was not among the low and illiberal, the base and vulgar. It pervaded all ranks of society. In the middle and southern states traders were universally very much on their guard against Yankee tricks when dealing with those of the eastern.

They now arrogate to themselves (and, for party purposes, their claims are sometimes admitted by their political friends) to be, as I have stated, a superior order to their fellow-citizens. They look down upon those of the southward with as much contempt, and with as much foundation too, as did the Pharisee of old on the despised Publican.

Both of those views are grossly erroneous. They never, as a people, merited the opprobrium under which they formerly laboured. There were, it is true, many worthless miscreants among them, who, on their migration to the other states, were guilty of base tricks, which, by an illiberality disgraceful to our species, but nevertheless very common, were charged to the account of the entire people of the eastern states, and brought them under a most undeserved odium.

I feel a pride and pleasure in doing justice to the yeomanry of the eastern states. They will not suffer in a comparison with the same class of men in any part of the world. They are upright, sober, orderly and regular—shrewd, intelligent and well informed—and I believe there is not a greater degree of genuine native urbanity among the yeomanry of

any country under the canopy of Heaven. And it is lamentable and unaccountable how they have allowed themselves to be so egregiously duped as they have been. I have known them long: and my respect for them has gradually increased in proportion as my knowledge of them has extended. But I shall never admit any exclusive or supereminent claim to the virtues which I know they possess. And I have no hesitation in averring, that although Boston, or Hartford, or Newhaven, may exhibit rather more *appearance* of religion and piety, than New-York, or Philadelphia, or Baltimore, yet the latter cities possess as much of the *reality*. It would astonish and frighten many of the pious people in New-York or Philadelphia, to be informed—but they may nevertheless rely upon the information as indubitably true—that a large portion of the clergy in the town of Boston, are absolute Unitarians; and scout the idea of the divinity of Jesus Christ as completely and explicitly as ever Dr. Priestley did. This is a digression. I did not intend to introduce it. But since it is here, let it remain. And let me add, that the present principal of Harvard College was known to be an Unitarian when he was elected. This fact establishes the very great extent and prevalence of the doctrine.

CHAPTER XLVIII.

Arrogance of the Claims of the Eastern States on the subject of Commerce. Statistical Tables. Comparison of the Exports of the several States.

The high and sounding pretensions of the eastern states on the subject of commerce have been almost universally admitted. No person has ever thought it worth while to examine into the actual state of the facts. It has been presumed, that, in a matter where falsehood and deception were so easily detected, such confident assertions would not be hazarded, unless they rested on a strong foundation. And in drawing the line of demarcation between the eastern states and the rest of the union, in the minds of the mass of the community, all to the north and east of the line was regarded as devoted exclusively to commerce—all to the south and west, chiefly to agriculture.

It is hardly possible to conceive a greater mistake. The reader will be astonished at the view I shall lay before him. I have been inexpressibly surprised myself, and even now can hardly credit my own statements. They are nevertheless indisputable.

TABLE A.

Table of Exports from the United States, of **FOREIGN** *and* **DOMESTIC** *productions and Manufactures, from 1791 to 1802. Carefully extracted from the treasury returns.*

	Massachusetts.	*New-York.*	*Pennsylvania.*	*S. Carolina.*	*Maryland.*
1791	$2,519,000	2,505,000	3,436,000	2,693,000	2,239,000
1792	2,868,000	2,535,000	3,820,000	2,428,000	2,623,000
1793	3,755,000	2,932,000	6,958,000	3,191,000	3,665,000
1794	5,292,000	5,442,000	6,643,000	3,867,000	5,686,000
1795	7,117,000	10,304,000	11,518,000	5,998,000	5,811,000
1796	9,949,000	12,208,000	17,51[illegible]	7,620,000	9,201,000
1797	7,502,000	13,308,000	11,[illegible]	[illegible]05,000	9,811,000
1798	8,639,000	14,300,000	8,91[illegible]	[illegible],000	12,746,000
1799	11,421,000	18,719,000	12,431[illegible]	[illegible]9,000	16,299,000
1800	11,326,000	14,045,000	11,949,[illegible]	10,063,000	12,264,000
1801	14,870,000	19,851,000	17,438,000	14,304,000	12,767,000
1802	13,492,000	13,792,000	12,677,000	10,639,000	7,914,000
	98,770,000	129,941,000	124,744,000	83,631,000	101,026,000

	Connecticut.	*Rhode Island.*	*Virginia.*	*Georgia.*	*N. Hampshire.*
1791	$710,000	470,000	3,131,000	491,000	142,000
1792	879,000	698,000	3,552,000	459,000	181,000
1793	770,000	616,000	2,987,000	520,000	198,000
1794	812,000	954,000	3,321,000	263,000	153,000
1795	819,000	1,222,000	3,490,000	695,000	229,000
1796	1,452,000	1,589,000	5,268,000	950,000	378,000
1797	814,000	975,000	4,908,000	644,000	275,000
1798	763,000	947,000	6,113,000	961,000	361,000
1799	1,143,000	1,055,000	6,292,000	1,396,000	361,000
1800	1,114,000	1,322,000	4,430,000	1,174,000	431,000
1801	1,446,000	1,832,000	5,655,000	1,755,000	555,000
1802	1,606,000	2,433,000	3,978,000	1,854,000	565,000
	12,328,000	14,113,000	53,125,000	11,162,000	3,829,000

	Vermont	*N. Carolina.*	*New Jersey.*	*Delaware*
1791		524,000	26,000	119,000
1792		527,000	23,000	133,000
1793		365,000	54,000	93,000
1794		321,000	58,000	207,000
1795		492,000	130,000	158,000
1796		671,000	59,000	201,000
1797		540,000	18,000	98,000
1798		537,000	61,000	183,000
1799	20,000	485,000	9,000	297,000
1800	57,000	769,000	2,000	418,000
1801	57,000	874,000	25,000	662,000
1802	31,000	659,000	26,000	440,000
	165,000	6,764,000	491,000	3,009,000

N. B. In the preceding table of exports, the figures below thousands are uniformly omitted, as not material to the calculation—and affecting equally both sides of the question.

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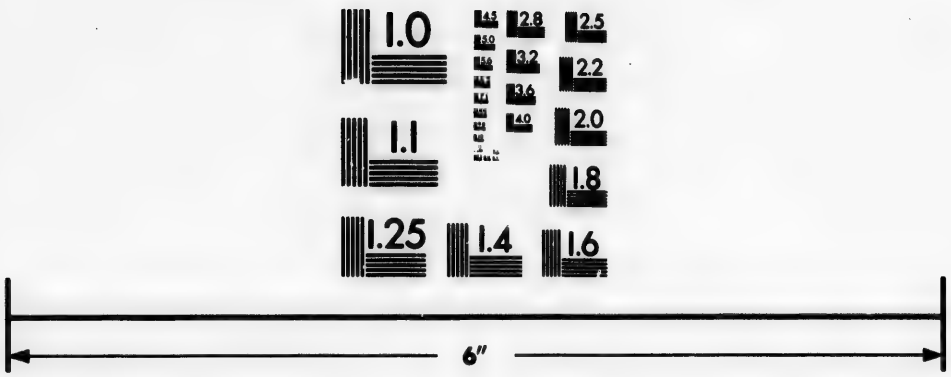

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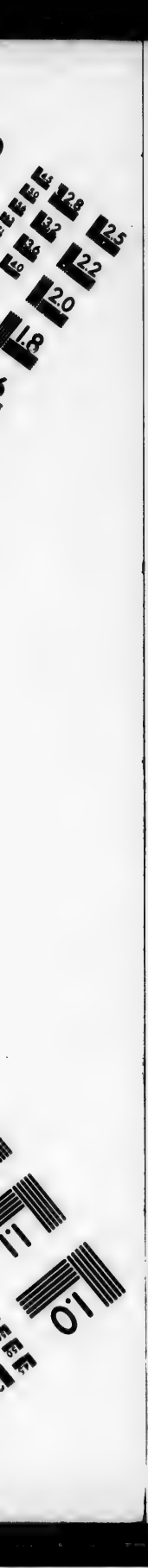
23 WEST MAIN STREET
WEBSTER, N.Y. 14580
(716) 872-4503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Comparative views of the exports from the different states, of foreign and domestic articles, from 1791 to 1802, inclusively. See Table A.

I. Maryland exported eight times as much as Connecticut; seven times as much as Rhode Island; two per cent. more than "the great commercial state" of Massachusetts; and very nearly as much as Massachusetts, Newhampshire and Vermont united.

Maryland		101,026,000
Massachusetts	98,770,000	
New Hampshire	3,829,000	
Vermont	165,000	
		102,764,000
Connecticut		12,328,000
Rhode Island		14,113,000

II. Maryland exported above *three hundred and thirty per cent. more than Newhampshire, Vermont, Connecticut, and Rhode Island.*

Maryland		101,026,000
New Hampshire	3,829,000	
Vermont	165,000	
Connecticut	12,328,000	
Rhode Island	14,113,000	
		30,435,000

III. South Carolina exported nearly six times as much as Rhode Island; nearly seven times as much as Connecticut; above twenty times as much as Newhampshire; 500 times as much as Vermont; and *one hundred and seventy per cent. more than those four states.*

South Carolina		83,631,000
New Hampshire	3,829,000	
Connecticut	12,328,000	
Rhode Island	14,113,000	
Vermont	165,000	
		30,435,000

IV. Virginia exported seventy-three per cent. more than the four minor eastern states.

Virginia	53,125,000
N. Hampshire, Vermont, &c. See No. 2.	30,435,000

V. Virginia and South Carolina exported eight per cent. more than the five "*great commercial eastern states.*"

Virginia	53,125,000	
South Carolina	83,631,000	
		136,756,000
Massachusetts	98,770,000	
N. Hampshire, Vermont, &c. See No. 2.	30,435,000	
		129,205,000

VI. North Carolina exported seventy per cent. more than New Hampshire and Vermont.

North Carolina		5,764,000
New Hampshire	3,829,000	
Vermont	165,000	
		3,994,000

VII. Georgia exported nearly as much as Connecticut.

Georgia	12,162,000
Connecticut	12,328,000

VIII. ☞ ***The five southern states exported nearly twice as much as the five great eastern states!!!***

Maryland	101,026,000	
Virginia	53,125,000	
North Carolina	6,764,000	
South Carolina	33,631,000	
Georgia	12,162,000	
		256,708,300
Five eastern states. See No. 5.		129,205,000

IX. Pennsylvania exported nearly as much as the "five great commercial eastern states."

Pennsylvania	124,744,000
Five eastern states. See No. 5.	129,205,000

TABLE B.

FOREIGN PRODUCTIONS and MANUFACTURES exported from the United States from 1803 *to* 1813. *Carefully taken from the treasury returns.*

	Massachusetts.	*New-York.*	*Pennsylvania.*	*S Carolina.*	*Maryland.*
1803	$3,369,000	3,191,000	3,504,000	947,000	1,371,000
1804	10,591,000	8,580,000	6,851,000	2,309,000	5,213,000
1805	13,738,000	15,384,000	9,397,000	3,108,000	7,450,000
1806	14,577,000	13,709,000	13,809,000	2,946,000	10,919,000
1807	13,926,000	16,400,000	12,055,000	3,783,000	10,282,000
1808	3,619,000	3,243,000	2,946,000	260,000	1,956,000
1809	6,119,000	4,232,000	4,810,000	385,000	4,056,000
1810	7,251,000	6,313,000	6,241,000	408,000	3,213,000
1811	5,192,000	3,513,000	3,865,000	210,000	2,820,000
1812	2,648,000	2,358,000	1,313,000	11,000	1,929,000
1813	294,000	1,124,000	327,000	53,000	1,005,000
	81,324,000	78,052,000	65,118,000	14,490,000	50,214,000

	Connecticut.	*Rhode-Island.*	*Virginia.*	*Georgia.*	*N. Hampshire.*
1803	$10,000	611,000	151,000	25,000	51,000
1804	29,000	817,000	395,000	74,000	262,000
1805	90,000	1,506,000	660,000	43,000	218,000
1806	193,000	1,142,000	428,000		383,000
1807	105,000	915,000	367,000	34,000	314,000
1808	15,000	102,000	18,000		2,000
1809	11,000	626,000	107,000		85,000
1810	5,000	456,000	189,000	3,000	9,000
1811	38,000	626,000	23,000	11,000	58,000
1812		150,000	17,000		9,000
1813	5,000	2,000			
	501,000	6,953,000	2,355,000	190,000	1,386,000

	Vermont.	N. Carolina.	New-Jersey.	Delaware.
1803	27,000	26,000		240,000
1804	95,000	9'000		317,000
1805	67,000	12,000		280,000
1806	192,000	8,000	7,000	374,000
1807	55,000	4,000	8,000	151,000
1808	25,000		2,000	70,000
1809	40,000		30,000	41,000
1810	26,000	2,000	27,000	40,000
1811	588,000	4,000		
1812	131,000			
1813		1,000		
	1,075,000	61,000	107,000	1,713,000

Comparative views of foreign articles, exported from 1803 to 1813. See preceding Table B.

I. Maryland exported above five times as much as the four minor eastern states.

Maryland		30,214,000
Connecticut	501,000	
Rhode Island	6,953,000	
New Hampshire	1,386,000	
Vermont	1,075,000	
		9,915,000

II. South Carolina exported nearly twice as much as Connecticut and Rhode Island; above ten times as much as New Hampshire; and above forty per cent. more than the four minor eastern st

South Carolina		14,420,000
Connecticut	501,000	
Rhode Island	6,953,000	
		7,454,000
New Hampshire		1,386,000
Four minor eastern states, No. 1.		9,915,000

III. Maryland and South Carolina exported nearly eighty per cent. of the amount exported by Massachusetts.

Maryland	30,214,000	
South Carolina	14,420,000	
		64,634,000
Massachusetts		81,314,000

IV. Virginia exported above twenty per cent. more than Connecticut and New Hampshire.

Virginia		2,355,000
Connecticut	501,000	
New Hampshire	1,386,000	
		1,887,000

TABLE C.

DOMESTIC PRODUCTIONS and MANUFACTURES exported from the United States from 1803 to 1813, carefully extracted from the treasury returns.

	Massachusetts.	*New-York.*	*Pennsylvania.*	*S. Carolina.*	*Maryland.*
1803	$5,399,000	7,626,000	4,021,000	6,863,000	3,707,000
1804	6,303,000	7,501,000	4,178,000	5,142,000	3,938,000
1805	5,697,000	8,098,000	4,365,000	5,957,000	3,408,000
1806	6,621,000	8,063,000	3,765,000	6,797,000	3,661,000
1807	6,185,000	9,957,000	4,809,000	7,129,000	4,016,000
1808	1,508,000	2,362,000	1,066,000	1,404,000	764,000
1809	6,022,000	8,348,000	4,238,000	2,861,000	2,370,000
1810	5,761,000	10,928,000	4,751,000	4,881,000	3,275,000
1811	6,042,000	8,747,000	5,694,000	4,650,000	4,553,000
1812	3,935,000	6,603,000	4,660,000	2,024,000	3,956,000
1813	1,513,000	7,060,000	3,249,000	2,815,000	2,782,000
	54,986,000	85,283,000	44,796,000	50,523,000	36,630,000

	Connecticut.	*R. Island.*	*Virginia.*	*Georgia.*	*N. Hampshire.*
1803	$1,238,000	664,000	5,949,000	2,345,000	443,000
1804	1,486,000	917,000	5,394,000	2,003,000	453,000
1805	1,353,000	1,065,000	4,945,000	2,351,000	389,000
1806	1,522,000	949,000	4,626,000	82,000	411,000
1807	1,519,000	741,000	4,393,000	3,710,000	365,000
1808	397,000	139,000	508,000	24,000	122,000
1809	655,000	658,000	2,786,000	1,082,000	201,000
1810	762,000	874,000	4,632,000	2,234,000	225,000
1811	994,000	944,000	4,798,000	2,557,000	315,000
1812	720,000	604,000	2,983,000	1,066,000	194,000
1813	968,000	234,000	1,819,000	1,094,000	29,000
	11,614,000	7,789,000	42,833,000	18,548,000	3,147,000

	Vermont.	*N. Carolina.*	*N. Jersey*	*Delaware*	*Orleans.*	*Columbia.*
1803	$ 89,000	926,000	21,000	187,000		1,412,000
1804	135,000	919,000	24,000	180,000	1,392,000	1,157,000
1805	101,000	767,000	20,000	77,000	2,338,000	1,135,000
1806	91,000	786,000	26,000	125,000	2,357,000	1,091,000
1807	148,000	740,000	36,000	77,000	3,161,000	1,363,000
1808	83,000	117,000	12,000	38,000	237,000	281,000
1809	125,000	322,000	269,000	96,000	344,000	681,000
1810	406,000	401,000	392,000	79,000	1,753,000	984,000
1811	32,000	793,000	1,000	76,000	2,501,000	2,060,000
1812	7,000	489,000	4,000	29,000	1,012,000	1,593,000
1813		795,000	10,000	133,000	1,013,000	1,387,000
	1,217,000	7,055,000	815,000	1,097,000	16,408,000	13,144000

Comparative views of domestic articles, exported from 1803 to 1813. See preceding Table C.

I. South Carolina exported within eight per cent. of the whole amount exported by Massachusetts; nearly seven times as much as Rhode Island; above four times as much

as Connecticut; and above twice as much as the four minor eastern states.

South Carolina		50,523,000
Massachusetts		54,985,000
New Hampshire	3,147,000	
Vermont	1,217,000	
Connecticut	11,614,000	
Rhode Island	7,789,000	
		23,767,000

II. Virginia and Maryland exported more than all the eastern states.

Virginia	42,833,000	
Maryland	36,630,000	
		79,463,000
Massachusetts	54,985,000	
N. Hamp. Verm. R. Island, and Conn.	23,767,000	
		78,752,000

III. North Carolina exported almost seventy-five per cent. more than New Hampshire and Vermont, and nearly as much as Rhode Island.

North Carolina		7,055,000
New Hampshire	3,147,000	
Vermont	1,217,000	
		4,364,000
Rhode Island		7,789000

IV. North Carolina and Georgia exported more than the four minor eastern states.

North Carolina	7,055,000	
Georgia	18,548,000	
		25,603,000
New Hampshire, Vermont, &c. (No. 1.)		23,767,000

V. Georgia exported nearly twenty per cent. more than Connecticut, New Hampshire, and Vermont.

Georgia		18,548,000
Connecticut	11,614,000	
New Hampshire	3,147,000	
Vermont	1,217,000	
		15,977,000

VI. The district of Columbia and the state of Georgia exported thirty per cent. more than New-Hampshire, Vermont, Connecticut, and Rhode Island.

Columbia	13,144,000	
Georgia	18,548,000	
		31,692,000
New Hampshire, Vermont, Connecticut, &c. (No. 1.)		23,767,000

VII. Virginia, Maryland, and South Carolina, exported above sixty per cent. more than the five eastern states.

Virginia	42,833,000	
Maryland	36,630,000	
South Carolina	50,523,000	
		129,986,000
Five eastern states (in No. 2.)		78,752,000

VIII. The district of Columbia, of ten miles square, exported more than New Hampshire, Vermont, and Rhode Island.

Columbia		13,144,000
New Hampshire	3,147,000	
Vermont	1,217,000	
Rhode Island	7,789,000	
		12,153,000

IX. The state of Virginia exported above half as much as the five eastern states.

Virginia	42,833,000
The five eastern states (No. 2.)	79,752,000

X. Virginia exported nearly as much, and South Carolina fourteen per cent. more than Pennsylvania.

Virginia	42,833,000
South Carolina	50,523,000
Pennsylvania	44,796,000

XI. Virginia exported five hundred and fifty per cent. more than Rhode Island;—three hundred and fifty per cent. more than Connecticut; and almost a thousand per cent. more than New Hampshire and Vermont.

Virginia		42,833,000
Rhode Island		7,789,000
Connecticut		11,614,000
New Hampshire	3,147,000	
Vermont	1,217,000	
		4,364,000

XII. ☞ *The district of Columbia and Virginia exported more than Massachusetts!*

Columbia	13,144,000	
Virginia	42,833,000	
		55,977,000
Massachusetts		54,986,000

XIII. ☞ *The district of Columbia exported more than Connecticut and Vermont.*

Columbia		13,144,000
Connecticut	11,614,000	
Vermont	1,271,000	
		12,831,000

XIV. ☞ *South Carolina and Georgia exported more than Massachusetts, Rhode Island, New Hampshire and Vermont.*

South Carolina	50,523,000	
Georgia	28,548,000	
		69,071,000
Massachusetts	54,986,000	
Rhode Island	7,789,000	
New Hampshire	3,147,000	
Vermont	1,217,000	
		67,139,000

XV. South Carolina exported above 450 per cent. more than Connecticut; above six hundred per cent. more than Rhode Island; and above one hundred and fifty per cent. more than these two states.

South Carolina	50,523,000
Connecticut	11,614,000
Rhode Island	7,789,000

XVI. Maryland exported above fifty per cent. more than the four minor eastern states.

Maryland	35,630,000
Four minor eastern states (No. 1.)	23,767,000

XVII. North Carolina and Georgia exported more than the four minor eastern states.

North Carolina	7,055,000	
Georgia	18,584,000	
		25,693,000
Four minor eastern states (No. 1.)		23,767,000

XVIII. South Carolina, Columbia, and New-Orleans, exported more than the five eastern states.

South Carolina	50,523,000	
Columbia	13,144,000	
New Orleans	16,408,900	
		80,075,000
Five eastern states (No. 2.)		78,752,000

XIX. The five southern states, the district of Columbia, and New Orleans, exported above two hundred and thirty per cent. more than the five eastern states, and within ten per cent. as much as the middle and eastern states.

Virginia, Maryland, and South Carolina, (No. 7.)	129,986,000	
North Carolina	7,055,000	
Georgia	18,548,000	
Columbia	18,144,000	
New Orleans	16,408,000	
		185,141,000
Five eastern states (No. 2.)	78,752,000	
New-York	86,283,000	
Pennsylvania	44,795,000	
		208,831,050

I am tired of this investigation. I sicken for the honour of the human species. What idea must the world form of the arrogance of the pretensions on the one side—and, on the other, of the folly and weakness of the rest of the union, to have so long suffered them to pass without exposure and detection!

The naked fact is, that the demagogues in the eastern states, not satisfied with deriving all the benefits from the southern section of the union, that they would from so many wealthy colonies—with making princely fortunes by the carriage and exportation of its bulky and valuable produc-

tions—and supplying it with their own manufactures, and the manufactures and productions of Europe, and the East and West Indies, to an enormous amount, and at an immense profit—have uniformly treated it with outrage, insult, and injury. And, regardless of their vital interests, the eastern states were lately courting their own destruction, by allowing a few restless, turbulent men to lead them blindfolded to a separation, which was *pregnant with their certain ruin. Whenever that event takes place, they sink to their native insignificance.*

If a separation were desirable to any part of the union, it would be to the middle and southern states, particularly the latter, who have been so long harassed with the complaints, the restlessness, the turbulence, and the ingratitude of the eastern states, that their patience has been taxed almost beyond endurance. "*Jeshurun waxed fat, and kicked.*" And he will be severely punished for his kicking, in the event of a dissolution of the union.

It ought to be observed, that a very large portion of the exports from the eastern states, consists in the productions of the southern states, first transported to Boston and other ports, coastwise. So that even the comparisons I have made, which are so mortal to the pretensions of the eastern states, place them on far better ground than they really deserve. For example—suppose among the exports of these states two millions of dollars' worth of cotton, one million of dollars' worth of flour, one million of dollars' worth of naval stores, all drawn from the southern or middle states—they appear four millions of dollars stronger on the face of the argument, than they are in fact and in truth. And there is no doubt that this is the case to a vast extent.

CHAPTER XLIX.

Comparison of the exports, foreign and domestic, of the different states, from 1791 to 1813. Glance at tonnage.

To enable the reader to form a fair comparison between the commerce of the different states, I annex a synoptical view of the whole of our exports from the organization of the federal government till the close of 1813. He will see, at a single glance, how very erroneous are the opinions that have hitherto prevailed on this subject; and how high even the foreign commerce of the southern states soars over that of the boasted "*commercial states.*"

General total of Exports of Foreign and Domestic productions from the year 1791 till 1813 inclusive.

	Massachusetts.	*New York.*	*Pennsylvania.*	*S. Carolina.*	*Maryland.*
A	98,770,000	129,941,000	124,744,000	83,661,000	101,026,000
B	81,336,000	78,052,000	65,118,000	14,420,000	50,214,000
C	54,983,000	85,283,000	44,796,000	50,523,000	36,630,000
$	235,079,000	293,276,000	234,658000	148,574000	187,870,000

	Connecticut.	*Rhode Island.*	*Virginia.*	*Georgia.*	*N. Hampshire.*
A	12,328,000	14,113,000	53,125,000	12,162,000	3,829,000
B	501,000	6,958,000	2,355,000	190,000	1,386,000
C	11,614,000	7,789,000	42,833,000	18,548,000	3,147,000
$	24,443,000	28,855,000	98,313,000	30,900,000	8,362,0000

	Vermont.	*N. Carolina.*	*N. Jersey*	*Delaware*	*Orleans.*	*Columbia.*
A	165,000	6,764,000	491,000	3,009,000		
B	1,075,000	61,000	187,000	1,713,000		
C	1,217,000	7,055,000	815,000	1,097,000	16,408000	13,144,000
$	2,457,000	13,880,000	1,313,000	5,819,000	16,408,000	13,144,000

EXPLANATION.

The first line, A, is taken from the the table A, page 271. It contains the whole amount of the exports of foreign and domestic articles, from 1791 to 1802.

The second line, B, is taken from table B, page 273. It contains the whole of the foreign articles exported from 1802 to 1813.

The third line, C, is taken from the table C, page 275. It contains all the domestic articles exported from 1802 to 1813.

Eastern Section.		*Middle Section.*		*Southern Section.*	
Mass.	235,075,000	N. Jersey	1,313,000	Maryland	187,870,000
N. Ham.	8,362,000	Delaware	5,519,000	Virginia	98,313,000
Vermont	2,457,000	N. York	293,276,000	N. Carolina	13,880,000
R. Island	28,855,000	Penn.	234,658,000	S. Carolina	148,574,000
Connec.	24,443,000			Georgia	30,900,000
				Orleans	16,408,000
				Columbia	13,144,000
$	299,192,000		534,766,000		509,089,000

I cannot allow these tables to pass without requesting attention to them in the most particular manner. As they throw an immense flood of light on a subject most egregiously misunderstood, and on which the most ruinous errors have prevailed, it behoves the reader to test his opinions by them, and lay aside the prejudices and misconceptions, if any, which he may have formed on these topics.

All the late confusion, the tendency to disorganize the country, to overturn the government, and to introduce civil war, arose from the errors prevailing on the subject of commerce, of which the eastern states pretended to be, and were absurdly and ridiculously believed, the exclusive guardians and protectors. It is now clearly and indisputably

established, that the commerce of the eastern is very far indeed inferior to that of the southern states. It appears, beyond the possibility of doubt or denial, that the five eastern states, since the formation of the government, have exported of foreign and domestic articles, ☞ *including an immense amount of southern productions*, only about

299,000,000 dollars,

of which a vast proportion was of foreign productions. But that the southern states have in the same period exported to foreign countries no less a sum than

509,000,000 dollars,

☞ *principally of their own productions or manufactures*, exclusive of the prodigious amount of their cotton, tobacco, rice, naval stores, &c. exported by the eastern states. The southern section of the union, which has been so cruelly, so wickedly, so unjustly vilified and calumniated for its hostility to commerce, is therefore actually more interested in its preservation than the eastern states, in the proportion of *five* to *three*. There is no instance to be found, of so palpable, so gross, so unfounded a calumny, resting on such a sandy foundation, so open to detection, and so pregnant with most ruinous consequences, having remained so long without investigation.

From a view of the preceding tables, it appears that the commerce of four of the eastern states is to the last degree insignificant, compared with that of the southern states, as will appear on the following comparisons:—

I. Virginia since the organization of the government has exported four times as much as Connecticut; more than three times as much as Rhode Island; twelve times as much as New Hampshire; forty times as much as Vermont; and above fifty per cent. more than those four states.

Virginia		98,313,000
Connecticut	24,443,000	
Rhode Island	28,855,000	
New Hampshire	8,362,000	
Vermont	2,457,000	
		64,117,000

II. Maryland has exported nearly eight times as much as Connecticut; above six times as much as Rhode Island; twenty three times as much as New Hampshire; and almost three times as much as the four minor eastern states.

Maryland		187,870,000
Connecticut	24,443,000	
Rhode Island	28,855,000	
New Hampshire	8,362,000	
Vermont	2,457,000	
		64,117,000

III. North Carolina has exported almost thirty per cent. more than New Hampshire and Vermont.

North Carolina		13,880,000
New Hampshire	8,362,000	
Vermont	2,457,000	
		10,819,000

IV. Georgia has exported more than Connecticut or Rhode Island; and almost three times as much as New-Hampshire and Vermont.

Georgia		30,400,000
Connecticut		24,443,000
Rhode Island		28,855,000
New Hampshire	8,362,000	
Vermont	2,457,000	
		10,891,000

V. South Carolina has exported above five times as much as Rhode Island; above six times as much as Connecticut; and one hundred and fifty per cent. more than the four minor eastern states.

South Carolina	148,574,000
Rhode Island	24,855,000
Connecticut	24,443,000
Four minor eastern states (See No. 1.)	64,117,000

VI. New Orleans and the district of Columbia have exported more *of domestic productions* in eleven years, than either Connecticut or Rhode Island in twenty three, of *foreign and domestic*.

New Orleans	16,408,000	
Columbia	13,144,000	
		29,552,000
Connecticut		24,443,000
Rhode Island		28,855,000

VII. New Orleans has exported nearly twice as much in eleven years, as New Hampshire in twenty three.

New Orleans	16,408,000
New Hampshire,	8,362,000

VIII. ☞ *Virginia, Maryland, and Columbia, have exported more than the whole five eastern states!!!!!!*

Maryland	187,870,000	
Virginia	98,313,000	
Columbia	13,144,000	
		299,327,000!!!
Five eastern states		299,192,000!!!

IX. ☞ *The southern states have exported seventy five per cent. more than the five eastern!!!*

Southern	509,069,000!!!
Eastern	299,198,000!!!

Since the preceding pages were written, I have examined an interesting work, entitled, "A geographical and statistical view of Massachusetts proper, by Rodolphus Dickinson," published anno 1813. It greatly elucidates the subject I have been discussing; and places the unfoundness of the high commercial claims of Massachusetts in nearly as strong a point of light as any of the documents I have given.

"The exports in 1809 from Boston and Charlestown, of American productions and manufactures, were 4,009,029 dollars, of which the value of rice, cotton, flour, tobacco, staves, and naval stores, ☞ *being principally the produce of the southern states, was* ☞ 2,294,109 dollars."

The writer adds,

"This, it is presumed, bears a relative proportion in amount, to the exports of other years." Page 78.

It thus appears, that although Boston has disturbed the tranquillity of the United States by her impassioned complaints on the subject of commerce, and the injury it has sustained by the hostility of the southern states, she is indebted to those states for considerably more than half of the American articles she exports. She moreover finds an invaluable market with them for the chief part of her immense foreign importations, and for her valuable manufactures.

It really makes my heart ache with vexation, to find that such mighty, such ruinous errors prevailed on those important topics—errors that generated the most baleful passions, which were hourly increased by artificial excitements, and threatened us with the most awful consequences.

The reader must not be surprised if I often repeat this sentiment. For "out of the abundance of the heart the mouth speaketh;"—and being convinced this was beyond all comparison the most awful danger that threatened us, it was not to be wondered at, that it engrossed so large a portion of my attention.

I shall conclude this topic with one observation, that as far as my knowledge extends, or as far as I am capable of judging, there has rarely occurred an instance of one nation so very highly indebted to another as the eastern states are to the southern, and yet making such a very miserable and ungrateful return.

I imagined that in the preceding chapters I had fully exhausted the comparison of the commercial importance of the several sections of the United States. I had at all events convinced every man whose mind was open to con-

viction, that the arrogant claims on this subject, of the eastern states, were utterly unfounded, and that the middle and southern sections had as much more interest in the protection of commerce than their eastern brethren, as the merchant who loads a wagon, with 10.000 dollars worth of goods, has more interest in the intercourse between the seller and the consumer, than the owner of the wagon.

But I find I did not do full justice to the subject. A new view of it has been presented to the public by the indefatigable editor of the Weekly Register, which far transcends the views I took. But even Mr. Niles has not pursued the argument to the full extent of which it is susceptible.

The exports of cotton from the port of Savannah alone, from the 20th of March till the 30th of June, 1815, a period of three months and ten days, were

Sea Island, 21,000 bales. each 300 lbs. at 33 cents, - - -	2,100,000
Upland, 55,582 bales, each 300 lbs. at 20 cents, - - -	3,334,000
	5,434,000
Supposing all the other articles to amount to - - - -	1,066,000
	6,500,000

and also supposing the exports of the remaining eight months and twenty days to amount to half that sum, it is at the rate of nearly 10,000,000 dollars for the year.

A review of the tables in page 280. will shew that the whole of the exports, of every kind, foreign and domestic, from the state of Massachusetts, for twenty three years, were only 235,000,000 dollars, which is an average of about 10,000,000 per annum, whereof considerably more than half was foreign. It therefore follows that the domestic exports of the single port of Savannah this year will equal the average of the exports of every kind from the mighty, the powerful, the commercial state of Massachusetts, from the time of the organization of the government till the close of the year 1813!!!

Tonnage.

The eastern states, which maintained such arrogant commercial claims, on the ground of their exports and imports, likewise preferred high pretensions on their transcendent superiority in point of shipping. These towering claims are unfounded, although not in the same degree with the others. Let the reader decide. I have before me, a state-

ment of the tonnage of the United States for two years, from which I make a few extracts, in order to inter these pretensions in the same grave with the rest.

Tonnage of	1809	1810
Boston,	133,257	149,121
New York,	243,533	268,548
Philadelphia,	121,443	125,258
Baltimore,	102,434	103,444
Portland,	33,007	32,599
Portsmouth,	27,719	28,820
Bath,	23,033	20,344
Newburyport,	36,574	39,100
Salem,	43,537	41,462
Norfolk,	40,940	47,643
Charleston,	40,819	52,888

From the above statement it appears that in the year 1810, the tonnage of Norfolk as well as Charleston was considerably superior to that of any port in the eastern or middle states, except Boston, New York, and Philadelphia; and that the tonnage of Baltimore was more than double that of any port in the eastern states, except Boston.

The aggregate tonnage of Vermont, New-Hampshire, Rhode Island, and Connecticut, in 1811, was (tons) -	108,000
The city of Baltimore in the same year -	103,000

that is, within 5000 tons of the whole amount of the tonnage of these four states, which have made such a clamour on the subject of commerce. The tonnage of the whole district of Maryland for that year was 143,000 tons, being an excess of 35,000 tons, or nearly one third more than those states!!!*

The clearances from the port of Savannah, ☞ *exclusive of coasters*, for April, May, and June, 1815, were 191, and the entries, also ☞ *exclusive of coasters*, were 203.—Whereas the foreign entries into the port of Boston for five months, March, April, May, June, and July, 1815, were only 212—and the foreign clearances only 270. That is, the foreign entries into Savannah, *in three months*, were 203, and into Boston *in five months*, only 212! What a developement of the relative commerce of both ports! how utterly beyond all expectation or calculation!

* See Weekly Register, vol. VIII. page 370, from which I have extracted these facts.

CHAPTER XI.

Another source of excitement among the citizens of the eastern states. Duties on imports. Statistics. Southern states pay very nearly as much as the eastern. Wonderful delusion.

THOSE men whose unceasing efforts were employed to excite the passions of the yeomanry of the eastern states, and prepare them for insurrection and a dissolution of the union, raised a great clamour on the subject of the enormous amount of duties paid by those states, and the insignificance of the sums paid by the southern section of the nation. They thence inferred the injustice and the inequality of the union, and its oppressive operation upon the former section.

This item of complaint is, if possible, more fallacious than the one discussed in the preceding chapters. The disadvantage is all on the other side of the question. The eastern states import largely from Europe, and from the East and West Indies, for the supply of the southern states. The former, it is true, have to bond or pay the duties in the first instance. This appears wonderfully to their advantage in the tables of duties. But it can hardly be necessary to inform the reader, that the merchant who bonds the duties, is not the actual payer of them. Mr. Edward Thomson, of this city, has imported, during this year, and of course will pay duties on, probably above 2,000,000 of dollars. I think it likely that his consumption is hardly 2,000. Who can be so ignorant as to pretend, that the government is beholden to him for the amount of the duties! They are paid by the farmers in Chester, and Bucks, and Lancaster, and Delaware, and Berks counties, &c. &c. The duties are added by the merchant to the first cost, with a profit on both—and the ultimate consumer is the real payer.

The eastern states thus levy taxes not merely on Maryland, Virginia, North and South Carolina, and Georgia, but even on Pennsylvania; for strange as it may seem, it is nevertheless true, that notwithstanding the immense wealth, the ardent enterprize, and the great commercial advantages of Philadelphia, immoderate quantities of East India and Chinese goods are sent for sale here, from Boston, Salem, and other eastern ports.

But even, independent of the importation of the eastern for the southern states, the argument is unfairly stated. If the former actually consumed all the foreign articles they import, the duties they pay, compared with those paid by the southern states, will not warrant their holding the high

and arrogant, and insulting tone they have always assumed.

To enable the reader to form a correct opinion on the subject, I annex a set of tables of the

Net amount of the duties paid by the different States from the year 1791 to 1812 inclusive. taken from the records of the treasury department, and submitted to congress by Joseph Nourse. Esq. register of the treasury.

	New Hampshire.	*Vermont*	*Connecticut.*	*R. Island.*
1791	$ 53,000		206,000	146,000
1792	41,000		142,000	46,000
1793	44,000		154,000	133,000
1794	38,000	1,000	171,000	89,000
1795	44,000		155,000	244,000
1796	53,000	1,000	141,000	137,000
1797	27,000		115,000	276,000
1798	72,000	1,000	127,000	104,000
1799	99,000	2,000	289,000	260,000
1800	142,000	2,000	169,000	393,000
1801	133,000		328,000	284,000
1802	119,000		262,000	178,000
1803	122,000	1,000	301,000	266,000
1804	108,000		348,000	421,000
1805	109,000		354,000	349,000
1806	117,000		325,000	361,000
1807	99,000		314,000	123,000
1808	19,000		197,000	270,000
1809	39,000	9,000	129,000	35,000
1810	53,000	9,000	157,000	435,000
1811	62,000	5,000	240,000	318,000
1812	122,000	116,000	829,000	452,000
	1,715,000	147,000	5,453,000	5,420,000

	Massachusetts.	*N. York.*	*Pennsylvania.*	*Maryland*	*Virginia*
1791	$ 977,000	1,564,000	1,491,000	641,000	851,000
1792	678,000	1,169,000	1,096,000	449,000	474,000
1793	950,000	1,195,000	1,804,000	869,000	388,000
1794	1,004,000	1,860,000	1,473,000	795,000	389,000
1795	1,415,000	2,000,000	2,271,000	523,000	396,000
1796	1,334,000	2,158,000	2,012,000	761,000	598,000
1797	1,372,000	2,039,000	1,743,000	1,145,000	606,000
1798	1,168,000	1,743,000	1,029,000	885,000	629,000
1799	1,607,000	2,373,000	1,259,000	1,161,000	896,000
1800	1,974,000	2,741,000	1,350,000	623,000	644,000
1801	2,929,000	3,810,000	2,123,000	1,001,000	746,000
1802	1,525,000	2,490,000	1,410,000	634,000	689,000
1803	2,490,000	3,524,000	1,655,000	936,000	713,000
1804	4,630,000	3,872,000	2,609,000	1,538,000	902,000
1805	3,308,000	4,882,000	2,300,000	1,130,000	805,000
1806	3,524,000	4,875,000	3,017,000	1,446,000	620,000
1807	3,576,000	4,926,000	3,162,000	1,633,000	506,000
1808	1,184,000	2,764,000	1,647,000	588,000	110,000
1809	1,384,000	2,981,000	1,405,000	155,000	257,000
1810	2,774,000	4,419,000	2,539,000	928,000	461,000
1811	1,816,000	1,979,000	1,840,000	722,000	195,000
1812	2,719,000	2,890,000	2,090,000	1,782,000	690,000
	44,338,000	62,274,000	41,325,000	20,345,000	12,565,000

	N. Carolina.	S. Carolina.	Georgia.	Columbia.	N. Orleans.
1791	$ 115,000	338,000	91,000		
1792	78,000	360,000	53,000		
1793	63,000	339,000	33,000		
1794	78,000	651,000	87,000		
1795	99,000	710,000	54,000		
1796	68,000	56,000	31,000		
1797	105,000	708,000	62,000		
1798	120,000	239,000			
1799	154,000	858,000			
1800	126,000	1,159,000			
1801	125,000	1,002,000	663,000	94,000	
1802	252,000	280,000	211,000	133,000	
1803	159,000	646,000	182,000	143,000	
1804	186,000	718,000	180,000	128,000	279,000
1805	165,000	843,000	95,000	119,000	342,000
1806	202,000	871,000	183,000	137,000	361,000
1807	196,000	735,000	489,000	123,000	480,000
1808	16,000	225,000	35,000	20,000	77,000
1809	65,000	377,000	6,000	60,000	134,000
1810	58,000	567,000	134,000	50,000	244,000
1811	44,000	338,000	56,000	45,000	148,000
1812	47,000	433,000	260,000	80,000	137,000
	2,621,000	12,665,000	2,907,000	1,132,000	2,202,000

☞ In these tables, as in those of exports, there is no account taken of any sums below 1000 dollars. This operating equally on both sides, cannot affect the comparison, which is the object in view.

From the foregoing tables, the following results appear.

I. The southern states have paid nearly as large an amount of duties to the government, as the eastern.

Maryland	20,343,000	
Virginia	12,565,000	
North Carolina	2,621,000	
South Carolina	12,665,000	
Georgia	2,907,000	
Columbia	1,132,000	
Orleans	2,202,000	
		54,437,000
Massachusetts		44,338,000
New Hampshire	1,715,000	
Vermont	147,000	
Connecticut	5,453,000	
Rhode Island	5,420,000	
		12,735,000
		57,083,000

II. The single state of South Carolina paid very nearly as much duties as the four minor eastern states.

South Carolina	12,665,000
Four minor eastern states, (see No. 1.)	12,735,000

III. New Orleans paid twenty per cent. more in nine years, than New Hampshire and Vermont in twenty-two.

Orleans		2,202,000
New Hampshire	1,715,000	
Vermont	147,000	
		1,862,000

IV. Virginia paid nearly as much as the four minor eastern states.

Virginia	12,665,000
Four minor eastern states (see No. 1.)	12,735,000

V. New York and Pennsylvania paid nearly ninety per cent. more than the five eastern states.

New York	62,274,000	
Pennsylvania	41,325,000	
		103,599,000
Five eastern states (see No. 1.)		57,083,000

VI. South Carolina paid more than twice the amount of duties paid by either Connecticut or Rhode Island; seven times as much as New Hampshire; and ninety times as much as Vermont.

South Carolina	12,665,000
Connecticut	5,463,000
Rhode Island	5,420,000
New Hampshire	1,716,000
Vermont	147,000

Synopsis of duties paid from 1791 to 1812.

Eastern Section.		*Middle Section.*		*Southern Section.*	
Mass.	44,338,000	N. Jersey	259,000	Maryland	20,345,000
N. Hamp.	1,715,000	Delaware	2,223,000	Virginia	12,565,000
Vermont	147,000	N York	62,274,000	N. Carolina	2,621,000
Connect.	5,463,000	Pennsyl.	41,325,000	S. Carolina	12,665,000
R. Island	5,420,000			Georgia	2,907,000
				Columbia	1,132,000
				Orleans	2,202000
	$ 57,083,000		$ 105,081,000		$ 54,437,000

Those who consider the very expensive habits of the planters of Virginia and South Carolina, and the immense amount of foreign goods received in those states from the eastern ones, as well as from New York, Pennsylvania, and Maryland, and how very large a proportion of the foreign merchandize imported by Massachusetts, is exported to the other states, will probably be led to believe, that Virginia and South Carolina actually consume each as much of dutiable articles, and of course in fact really pay as much duties, as Massachusetts. I acknowledge this is but a rough calculation. But a due consideration of the great number of coasters, which in time of peace, are constantly plying from the ports of the eastern and middle to those of the southern states, will afford a strong support to this opinion. A very large proportion of the cargoes of the coasters bound to the southern ports consists of imported goods; and the residue generally of articles of domestic manufacture. The return cargoes are all of raw materials for these manufactures, or articles of the highest value for

exportation to Europe and elsewhere. It is not easy to conceive of a more advantageous commerce for the mother countries, as, in this case, the middle and eastern states may be justly styled. I repeat it, and hope the solemn truth will be borne in constant remembrance, that the southern states are virtually colonies to those states whose demagogues have never ceased slandering and persecuting them.

I dismiss this part of my subject, I hope for ever. I trust that the most incorrigible effrontery will never dare again to hazard an assertion of the commercial superiority of the eastern states.

CHAPTER XI.

Fallacy of the opinion of any hostility in the Southern against the Eastern States. Commercial and Agricultural states mutually dependant on, and beneficial to each other.

HAVING completely settled the question on the subject of the comparative pretensions of the different sections of the union to commercial pre-eminence, I proceed to consider the positions, which assert the necessary hostility of an agricultural section of a country to a commercial one—the actual existence of that hostility in the southern states—and its baneful influence on the measures of congress.

On these fallacious positions the changes have been rung in endless succession, not merely by a crowd of anonymous writers, but even public bodies whose stations entitle them to respect, have disgraced themselves by their dissemination. I feel satisfied that the lucubrations on this subject, published in Boston alone, would fill folio volumes. Throughout the whole, strong and confident and unfounded assertion is substituted in the place of fact, reason, and argument.

To enable the reader to form an idea of the errors prevalent on this topic, I annex a few extracts.

"They have seen at first an ill-concealed, but at last ☞ an open and undisguised jealousy of the wealth and power of the commercial states, ☞ operating in continual efforts to embarrass and destroy that commerce, which is their life and support."

This is the language of a report to the legislature of Massachusetts, made by a joint committee of both houses, Feb. 18, 1814, on which was grounded the most inflammatory

appeals to the citizens of the eastern states. This report asserted the propriety and justice and necessity of forcible resistance to the measures of the general government, adding

"The question is not a question of *power or right* with this legislature, but of *time or expediency*."

The committee proceed—

"There exists in all parts of this commonwealth, a fear, and in many a settled belief, that *the course of foreign and domestic policy pursued by the government of the United States for several years past, has its foundation in a deliberate intention to impair, if not to destroy, that free spirit and exercise of commerce*, which, aided by the habits, manners, and institutions of our ancestors, and the blessings of divine providence, have been the principal source of the freedom, wealth, and general prosperity of this recently happy and flourishing people.

"These opinions are not confined to the maritime borders of the state, whose interests are more immediately affected, and whose inhabitants have daily before their eyes perishing ships, deserted warehouses, and starving mechanics and labourers; but are loudly responded from the interior, where the people generally sympathize in the present distress of their brethren on the sea-coast, and wisely foresee in their ruin, their own approaching wretchedness."

The committee continue—

"The memorialists see, in this deplorable descent from national greatness, ☞ *a determination to harrass and annihilate that spirit of commerce* which has ever been the handmaid of civil and religious liberty; and ☞ *to break the free spirit of this people by depriving them of their civil employments*, and thus forcing the sons of commerce to populate and enrich the wilderness, for the benefit of those whose avarice has contributed largely to the war now desolating the country."

This is the strain and style in which this miserable, this hacknied, this destructive prejudice has been a hundred thousand times repeated, without even the shadow of foundation. Although these extracts are abundantly sufficient for my purpose, yet I judge it not improper to make a short addition from the address of the Hartford convention.

"Events may prove that the causes of our calamities, are deep and permanent. They may be found to proceed, not merely from the blindness of prejudice, pride of opinion, violence of party spirit, or the confusion of the times;—but *they may be traced to implacable combinations of individuals, of states, to monopolize power and office*, AND TO TRAMPLE WITHOUT REMORSE UPON THE RIGHTS AND INTERESTS OF THE COMMERCIAL SECTIONS OF THE UNION.

"The administration, after a *long perseverance in plans to baffle every effort of commercial enterprize*, had fatally succeeded in their attempts at the epoch of the war."

The convention enter into an enumeration of the causes which have led to the public distress, and close the catalogue, with

"Lastly and principally, a visionary and superficial theory in regard to commerce, ☞ ACCOMPANIED BY A REAL HATRED, BUT A FEIGNED REGARD TO ITS INTERESTS, and a ruinous perseverance in efforts to render it an instrument of coercion and war."

Never since faction first disturbed the peace of mankind, and made this earth a suitable abode for demons incarnate, did she employ a more hollow, fallacious, or unfounded pretext, to justify her lawless proceedings, than is here to be combated. It is not merely untrue. It is the reverse of truth. It has not even the shadow of plausibility.

In all this wretched effort to excite the hostility of fellow citizens against each other—to prepare the inhabitants of one section of the country to embrue their hands in the blood of those of another—to renew in this holy, this blessed land, the horrors of the French revolution—to enable American Marats, and Dantons, and Legendres, and Robespierres, to rule us with a rod of iron—an all-important and overwhelming fact is kept wholly out of sight—a fact which destroys the whole of this miserable declamation as completely as ever the broad glare of the torch of truth dispelled the Cimmerian darkness of error and delusion. This mighty fact escaped my attention in all the former editions of this book. It is, that all the measures which are assumed as full proof of hostility to commerce, and charged to the debit of the southern states, have been supported by the powerful commercial states of Pennsylvania and New York; steadily and undeviatingly by the former, and by the latter with very few and slight exceptions. And further, that a considerable part of them have been supported by respectable portions of the representatives in congress, from New Hampshire, Vermont, Rhode Island, and even Massachusetts—for the three first states were till lately frequently represented almost wholly by democrats, who pretty generally advocated the measures herein reprobated. And it is further to be remarked, that the great commercial cities of the union have been very generally represented by citizens who have given their full aid and support to the measures in question. The majority for and against the administration, even in Massachusetts, till lately rarely exceeded 2 or 3,000. The election for governor in that state in 1812, was contested with great ardour. The friends and the enemies of the administration made the utmost exertions to call forth their whole strength—and the votes were for

Caleb Strong - - -	52,696
Elbridge Gerry - -	51,326

and it is well known that Mr. Sullivan and Mr. Gerry, the democratic candidates, were elected four or five times within a space of ten years, which embraced nearly the whole of the measures thus violently denounced. And I presume no man of candour will deny that the struggle between the

different candidates on these occasions was as fair and unerring a criterion of the voice of the state on the approval or reprobation of the measures of the general government, as if the votes had been taken for president of the United States.

Let us for a moment suppose, for sake of argument, that the eastern states are, as they pretend to be, exclusively commercial—and that the southern are exclusively agricultural. This is placing the case in the most advantageous point of light its friends could desire. Could there be any stronger bond of affinity between two nations, or two sections of the same nation, than the mutual wants which this supposed case implies? The agricultural portion would have imperious necessity for the ships, the seamen, and the capital of the commercial portion, for the purchase and transportation of her superfluous productions. And the navigation and capital of the commercial portion would find all the advantages they could require in the transportation and sale of the productions of the other.

The agricultural portion, as I have already stated, would be merely in the situation of colonies to the commercial. What has always been the grand advantage of colonies to parent countries? Merely to increase their navigation—to afford an asylum for their superabundant population—to furnish raw materials for the employment of their artisans and manufacturers—and to purchase the productions of the labours of those artisans and manufacturers.

All these favourable effects have been produced on the eastern, by their connexion and intercourse with the western and southern states. It therefore irresistibly follows, that the latter have literally been but colonies to the middle, and more particularly to the eastern states. The hardy and enterprising Yankees pervade every bay, river, creek, and inlet of the southern states; and for their *notions* carry off the solid coin of the country to replenish their coffers. They every where undersell and undermine the established southern storekeepers. Moreover, the cotton, the rice, the flour, the tobacco, and the naval stores of the southern states, have enabled the ship-owners of the eastern states to amass those over-grown nabob fortunes, which render them too aspiring to submit to the equal form of government which we enjoy. They have literally lived upon the industry of the southern states. Without the latter, their section of the union would rank very low indeed in the scale of nations.

This state of things, so eminently advantageous to the eastern states, has never created faction, or complaint, or

convulsions, or threats of dissolving the union, in the southern. They have cheerfully supported a government whose chief attention has been directed to the promotion of commerce—and which never did and never would have experienced any very great difficulty with foreign nations but from the cupidity of the mercantile interest.

It requires little effort to prove, and little capacity to perceive, that there is a commercial rivalry between Boston and Providence—between Philadelphia and New York—between Baltimore and Philadelphia. But that a serious, thinking people, like those of the eastern states, should have ever been duped to believe that there is any real cause of jealousy or hostility between the commercial and agricultural sections of the country, is a folly, of which it is hardly possible to find a parallel in the history of the madness and idiocy of the human species.

To view the subject once more—although it really does not deserve further attention. Suppose, still, the southern states wholly agricultural, and the middle and eastern wholly commercial, and that the former have an overwhelming majority in the legislature of the union. How could it ever enter into the mind of any rational being to imagine, that the majority could for a moment be ignorant of the plain truth, that every stroke aimed at commerce was a stroke at their own vital interests?

It is well known, that the representatives of the southern and western states are generally gentlemen of the highest grade of talents in congress. From causes which it is neither necessary nor proper here to detail, the middle states have rarely made as respectable a figure in that body as could have been wished. The eastern have not been quite so unfortunate. It requires, however, but a moderate portion of candour to acknowledge, that although they are occasionally represented in congress by men of considerable talents, they are in the aggregate far below Virginia, South Carolina, and Kentucky. And could this plain truth escape the Eppeses, the Gileses, the Clays, and the Popes, that it was impossible to injure commerce without inflicting an equal injury on agriculture?

The agricultural portion of this great nation could infinitely better dispense with the commercial, than the latter with the former. Never, since commerce first began, did a nation, having bulky raw materials to sell, and having demands for large quantities of merchandize, find any difficulty in creating a marine, or, amidst naval competitors for her trade, in securing the transportation of her commodities, and the purchase of merchandize, on fair and advan-

tageous terms. But the decay of Portugal, Venice, Genoa, the Hanse Towns, and other great commercial states, proves that a nation possessed of a considerable marine, may, if it affront or offend the nations on which it depends, be reduced to its native and intrinsic insignificance.

The eastern states labour under very great disadvantages. The sterility of their soil will leave them eternally dependent upon the southern states; for their situation imperiously forces them to have recourse to manufactures and commerce. Their agriculture must always be comparatively insignificant. They therefore, I repeat, owe their greatness principally to the immensely valuable trade they carry on with these states, which their ungrateful writers and demagogues are constantly vilifying and abusing, and which afford the principal pabulum for the commerce of the middle and eastern states. Those demagogues are, as I have stated, unceasingly exciting animosities between the two sections of the union, by pretending a rivalry of interest, which is wholly unfounded. There is, let me repeat, real cause of jealousy between Rhode Island and Massachusetts: but none between either of them and Virginia or South Carolina. The latter are, and will probably forever continue, great agricultural states. Their immense and growing productions will find the most valuable employment for the shipping and for the manufactures of the eastern and middle states.

Should a separation take place, which I hope and trust in the goodness of Heaven is far remote, the eastern states will repent it first and last. They will have reason eternally to lament the unhallowed counsels of those restless demagogues, who shall have plunged them into the abyss of ruin. Their hardy sons, who now migrate to the southward and westward by hundreds, will abandon their native soil by thousands—and daily add strength to the rival section of the nation, and equally enfeeble the parent states. The latter will dwindle into the insignificance from which they have been elevated by the tribute they have levied upon Virginia and her southern sisters.

The horrors of an immediate CIVIL WAR, and of a constant BORDER WAR, *such as formerly existed between England and Scotland*, are the only considerations that render *a separation from Massachusetts a measure to be at all deprecated.* Were we insured from these two evils, the separation would be an advantage to the rest of the nation; for she has harassed the national councils to a most intolerable and shameful degree.

She has appeared determined, *if she could not rule the country herself, to send it to destruction headlong.* She has been for years the source of most of the difficulties of the union. We should not have had war but for her.* And among the features of the present crisis, the most lamentable one is, that she cannot suffer the consequences of her folly, her arrogance, her restlessness, her faction, her jacobinism, her anti-Washingtonism, without inflicting an equal degree of misfortune on her innocent neighbours. Could she suffer alone, it were "*a consummation most devoutly to be wished.*" A strong navigation act, and discriminating duties, would soon bring her to her senses, and convince her of the immeasurable folly and madness she has been guilty of. They would sink her to her proper level—that level, which her ungrateful soil—her insignificance in point of population—and the narrow limits of her territory, prescribe—and which, I repeat, nothing but the advantages she has derived from her persecuted, insulted, outraged, and defamed sister states, could have enabled her to pass. She would repent of her infatuation, and most anxiously seek to be restored to a confederacy, on the major part of which she had unceasingly levied heavy contributions, and to which she owed all that prosperity, that wealth, and that affluence, which had rendered her dizzy, inflated her with pride and arrogance, and brought on her downfall.

CHAPTER LII.

Money the sinews of War. Associations to prevent the success of the Loans. Efforts to bankrupt the Government.

MONEY has long been proverbially styled the sinews of war. It is no misnomer. Soldiers cannot be raised—nor put in motion—nor arrayed in the field of battle, without money to clothe and to feed them. A government at war, and destitute of funds or credit, must succumb to its adversary—bend the neck to the yoke—make humble submission—and receive the law from the conqueror. To these truths history bears ample and uniform testimony.

* This assertion has been cavilled at by a Boston writer, but not refuted. Boston, by her jacobinical opposition to the peaceable measures adopted to obtain from England that redress for which she herself had so loudly insisted on the interference of government—and by her excitement of a similar opposition throughout the eastern states generally, defeated those measures, and encouraged England to proceed in her outrages—which finally led to war.

Under this impression, shortly after the declaration of war, there was a combination formed to prevent the success of the loans authorised by congress. I believe that nearly all those who entered into this scheme resided in the eastern states, particularly in Boston, which was the grand focus of the conspiracy.

No measure, however atrocious, ever was destitute of a plausible plea to palliate or justify its enormity. This high-handed conspiracy to destroy the credit of the government of their country, which originated among the "moral and religious people" of Boston, was predicated upon two positions:

First, that England was, and had always been, willing to make a treaty with us on fair and honourable terms; and that, so great was her magnanimity, she would take no advantage of any embarrassments or difficulties that might arise from the destruction of the public credit.

Secondly, that our administration was so obstinately determined to continue the war, that it would make no peace while it had the means of carrying on hostilities.

A corollary from these positions was, that if the conspirators prevented the success of the loans, and deprived the government of the means of prosecuting the war, we should in consequence have peace.*

These extravagant positions must excite the amazement of any calm observer. "But as soon as he should be acquainted with the nature and existence of prejudice, passion, obstinacy, wilfulness, wickedness, and above all, with the character and influence of party spirit, the mystery would vanish at once: for he would then see that these, and not reason, decide. *Reason asks for facts and arguments. Prejudice, passion, and the rest, ask for names, sounds, noise, and fury. By those they are impelled—by these they decide.*"†

Our government had given four strong and irresistible proofs of a disposition to conclude the war, which must carry conviction to every candid mind.

First, on the 27th of June, 1813, it had offered the British government an armistice on the simple and reasonable con-

* This paragraph was written in September last. The result of the negociations at Ghent fully establishes the folly as well as the wickedness of these proceedings. The public mind has been since very considerably undeceived on these points. I have heard gentlemen rejoice at the success of the illustrious hero, Jackson, at New Orleans, as leading to peace, who, one or two years since, were so miserably deluded as to believe that the road to a cessation of war lay through the defeat, disgrace, and disaster of the arms of their native country!

† The Examiner, by Barent Gardenier, vol. i. page 57.

ditions of suspending, during the negociation, the outrageous injury of impressment, and surrendering the American seamen previously impressed. ☞ *The suspension of impressment at that period could not have occasioned Great Britain any possible disadvantage;* for, having nearly annihilated all the rival navies of Europe, her stock of sailors could not require to be replenished by impressment from our vessels. And as she had at all times *professed* a willingness to surrender our seamen, there could have been no difficulty on the second point. She ought, therefore, to have met our amicable overtures with frankness. If she were fighting for her existence, as has been said a thousand times; and if it were jeopardized by our hostility; it was the quintessence of madness and folly, not to have withdrawn us from the number of her enemies, when she could have effected that grand object on such easy terms, without impairing her credit or character.

Secondly, it had promptly accepted the Russian mediation for the termination of hostilities.

Thirdly, To remove all difficulty on the important subject of impressment, an act was passed by congress, on the 3d of March, 1813, making such provisions, to commence from the close of the war, as to secure Great Britain against the seduction or employment of her seamen on board our vessels, public or private.*

Fourthly, and most particularly, in the appointment of three ministers to negociate, Mr. Bayard, a decided federalist, was chosen—a gentleman of high standing with his own party—of considerable talents—and strenuously opposed to the administration. Unless his instructions had been fair and honourable, he would not certainly have accepted the appointment.

In the appointment of ministers in England or elsewhere, I believe no similar instance has occurred of the choice of a person hostile to the administration who appointed him. It was a very great effort to remove suspicion and jealousy from the public mind. Nothing but the incurable folly and madness engendered by faction, could possibly resist the fair inference warranted by this appointment. But it was wholly unavailing. Faction is now, ever has been, and ever will be, deaf, and dumb, and blind, to reason and common sense.

These four facts notwithstanding, the persuasion was general among the "*Peace Party*," that the government was

* Among the members who voted against this bill were Messrs. Josiah Quincey and John Randolph. Their motives must have been very extraordinary. I cannot fathom them.

averse from closing of the war. The talents of the federalists in the eastern states and elsewhere, were now put in requisition to impress this idea on the public mind. The most unceasing efforts were employed on this subject. The leaders of the party affected to be, and the others were, inflexible in the opinion;

In consequence every possible exertion was made, particularly in Boston, to deter the citizens from subscribing to the loans, in order to disable the government from carrying on the war, and of course force it to make peace. Associations were entered into in the most solemn and public manner to this effect. And those who could not be induced by mild means, were deterred by denunciations. A folio volume might be filled with the lucubrations that appeared on this subject.

The pulpit, as usual in Boston, came in aid of the press, to secure success. Those who subscribed, were in direct terms declared participators in, and accessaries to, all the "*murders*," as they were termed, that might take place in the "*unholy, unrighteous, wicked, abominable, and accursed war.*"*

To enable us to judge of the wickedness of these proceedings, let us examine what would be the consequence of complete success. No diminution of the guilt of any act arises from its failure to produce its usual and intended effect.—The man who fires a pistol with intent to kill, is, in the eye of Heaven, a murderer equally with him whose ball passes through the brains of his victim.

Had complete success crowned the efforts of the conspirators, these awful consequences would have taken place:

First, a national bankruptcy.† The public creditors, and those who depended on them, would have been ruined.

Secondly, with the downfall of the public stock, would have fallen the stocks of banks, insurance-companies, ‡ &c. &c.

Thirdly, private bankruptcy would have followed to an enormous extent: and wide-spread ruin would have pervaded the nation.§

Fourthly, the national armies must have been disbanded, and the frontiers exposed to the desolating effects of the

* See chapter LVI.

† After the above was written, this effect was produced to a certain extent by this conspiracy.

‡ This consequence took place to a most alarming degree.

§ Strong traces of the pernicious effects of this conspiracy appear throughout the union. Some of the conspirators fell unlamented victims to their own machinations.

hatchet and tomahawk. The aged matron—the chaste and tender wife—the blooming maiden—the decrepid grandsire—the manly father—and the helpless infant—all would have been involved in one wide, impartial, and undistinguishing destruction!

Fifthly, our seaport towns would have been exposed to the mercy of Cockburns and Gordons. They would have shared the fate of Alexandria, of Hampton, of Havre-de-Grace, and of Frenchtown.

And Sixthly, to close the awful catalogue, our government would be laid at the mercy of Great Britain;—and, deprived of the means of resistance, must have submitted to whatever ignominious terms she might choose to impose.

These were the results that must have taken place, had complete success crowned the horrible project. Never was more unholy purpose attempted.

It is highly probable that many of the persons engaged in this conspiracy did not contemplate such extensive results. They may have looked no farther forward than to the restoration of peace. But the leaders in the scheme were too keen, too shrewd, too profound, and too hostile to the government of their country, to allow us to extend to them the same degree of charity. Their minds must have grasped all the stupendous and awful consequences; and they had reconciled themselves to the wide-spread devastation.

The success in the eastern states was considerable. Few men have the courage to stem the tide of popular delusion when it sets in very strong. There were some, however, who subscribed openly, in defiance of denunciations and threats. Others of less firm texture, loaned their money by stealth, and as clandestinely as if it were treasonable. What, alas! must be the awful state of society, when a free citizen is afraid of lending his money publicly, to support the government that protects him—the mildest form of government ever vouchsafed by Heaven to man—whose mildness enabled its enemies to jeopardize its very existence! Who, that has a soul to feel—who, that has a spark of patriotism or public spirit in his frame, but must be fired with a holy indignation at such a hideous, such a horrible state of the public mind!

"Money is such a drug (the surest sign of the *former* prosperity, and *present* insecurity of trade) that men against their consciences, their honour, their duty, *their professions and* PROMISES—are willing to lend it *secretly*—to support the very measures which are both *intended* and calculated for their ruin."*

This paragraph, the production of John Lowell, establishes the existence of a combination to prevent the success of

* See Road to Ruin, No. 5.

the loans, who had "*promised*" each other, or pledged themselves, not to subscribe: some of whom, nevertheless, did subscribe—but, to avoid the reproaches and persecution of their associates, did it "*secretly*." This conclusion irresistibly follows. These "*promises not to lend their money*," must refer to the combination I have stated. It can have no other meaning. And the fair construction of their lending "*secretly*" can be no other than that they were liable to disgrace with, or persecution from, their party, if they were known to lend.

Of the species of denunciations held out to deter from subscriptions, some idea may be formed from the following paragraphs, taken from various Boston papers.

"*Let no man who wishes to continue the war by active means, by vote or lending money*, DARE TO PROSTRATE HIMSELF AT THE ALTAR ON THE FAST DAY; *for they are actually as much partakers in the war, as the soldier who thrusts the bayonet; and* THE JUDGMENT OF GOD WILL AWAIT THEM."

Money lent by Federalists.

"Will federalists subscribe to the loan? will they lend money to our national rulers? It is impossible. First, because of the principle; and secondly, because of principal and interest. If they lend money now, they make themselves parties to the violations of the constitution, the cruelly oppressive measures in relation to commerce, and to all the crimes which have occurred in the field and in the cabinet. To what purpose have federalists exerted themselves to show the wickedness of this war, to rouse the public sentiment against it, and to show the authors of it not only to be unworthy of public confidence, but highly criminal, if now they contribute the sums of money without which, these rulers must be *compelled to stop; must be compelled to return to the policy* and measures under which this country once was at peace, and in singular prosperity.

"By the magnanimous course pointed out by governor Strong, that is, by withholding all voluntary aid in prosecuting the war, and manfully expressing our opinion as to its injustice and ruinous tendency, we have arrested its progress; *and driven back its authors to abandon their nefarious schemes, and to look anxiously for peace.* What then if we now lend them money? *They will not make peace;* they will still hanker for Canada; they will still assemble forces, and shed blood on our western frontier. Mere pride, if nothing else, would make them do it. The motives which first brought on the war, will still continue it, if money can be had. *But some say—will you let the country become bankrupt! no, the country will never become bankrupt.* BUT PRAY DO NOT PREVENT THE ABUSERS OF THEIR TRUST BECOMING BANKRUPT. Do not prevent them from becoming odious to the public, and replaced by better men. ☞ *Any federalist who lends money to government, must go and shake hands with James Madison,* and claim fellowship with Felix Grundy. ☞ *Let him no more call himself a federalist and friend to his country!!!* HE WILL BE CALLED BY OTHERS, INFAMOUS!!!!!!

"But, secondly, federalists will not lend money, because *they will never get it again.* How, where, and when, are the government to get money to pay interest? And ☞ *who can tell whether future rulers may think the debt contracted under such circumstances, and by men who lend money to help out measures which they have loudly and constantly condemned, ought to be paid!* On the whole, then, there are two very strong reasons why federalists will not lend money—first, because it would be a base abandonment *of political and moral principles;* and secondly, because it is pretty certain they will never be paid *again.*

"It is very grateful to find that the universal sentiment is, that ☞ ANY MAN WHO LENDS HIS MONEY TO THE GOVERNMENT, AT THE PRESENT TIME, WILL FORFEIT ALL CLAIM TO COMMON HONESTY AND COMMON COURTESY AMONG ALL TRUE FRIENDS TO THE COUNTRY!!!!!! God forbid that any federalist should ever hold up his hand to pay federalists for money lent to the present rulers; and federalists can judge whether democrats will tax their constituents to pay interest to federalists." Boston Gazette, April 14, 1814.

"The war advocates appear very sore and chagrined at the failure of the late loan, and in their ravings ascribe the meagre subscriptions to the truths which have appeared in the federal papers on the subject." Boston Centinel, March 24th, 1813.

"Our merchants constitute an honourable, high-minded, independent, and intelligent class of citizens. They feel the oppression, injury, and mockery, with which they are treated by their government. They will lend them money to retrace their steps—but none to persevere in their present course. ☞ *Let every highwayman find his own pistols.*" Boston Gazette.

We have only room this evening to say that we trust *no true friend to his country will be found among the subscribers to the Gallatin loan.*" New-York Evening Post.

"No peace will ever be made, till the people say there shall be no war. If the rich men continue to furnish money, *war will continue till the mountains are melted with blood—till every field in America is white with the bones of the people.*" Discourse delivered at Byfield, April 7, 1814. By Elijah Parish, D. D.

"If this war is to be supported by loans, paper stock will breed as fast and faster than merinos. Their fleeces, if your pastures are good, will yield the interest; but for your interest of paper stock, you must yield a fleece of loans annually from your own pockets. The admiral and the purser have informed the crew, that they have but few shot in the locker; they must be replenished, or the war laurels must wither. In our old war, when private men were public creditors, and became somewhat impatient of public delay, the administration would promise them one new dollar for two hundred old ones, and try their patience again. ☞ *My brother farmers, if you have money to let, let it lay.* ☞ *If the war continues, you will purchase your stock at four years old, cheaper than you can raise it;* so unjust is this offensive war, in which our rulers have plunged us, in the sober consideration of millions, that ☞ *they cannot conscientiously approach the God of armies for his blessing upon it.*" Boston Centinel, 13th January, 1813.

The following advertisements contain volumes. They evince, beyond the power of doubt or denial, the horrible state to which a few factious, violent men, by their treasonable practices, had reduced the town of Boston, when those who were disposed to support their own government, were obliged to do it as clandestinely as if they were engaged in some dangerous conspiracy.

The New Loan.

From the Boston Chronicle, April 14, 1814.

From the advice of several respected friends, we are induced to announce to the public that subscriptions to the *new loan* will be received by us as agents until the 25th inst. from individuals, or incorporated bodies, in sums of $ 500 and upwards. The subscriptions to conform to the regulations announced by the secretary of the treasury, dated 4th April. Payments may be made in Boston money, or in any other in the United States, the subscriber paying the customary rate of discount. Applications will be received from any persons who wish to receive their interest in Boston, by letters post

paid, or by written applications from individuals in Boston, ☞ AND THE NAMES OF ALL SUBSCRIBERS SHALL BE KNOWN ONLY TO THE UNDERSIGNED, according to the proposals of the secretary of the treasury (for more particulars see his advertisement;) each applicant must name the highest rate he will give: and if the loan is granted lower than his proposal, it will of course be for his benefit: but on the other hand, if higher, he will lose the benefit of being a subscriber. The certificates, and all the business relating to it, will be delivered free of charge.

GILBERT & DEAN, Brokers.

"*Exchange Coffee House, Boston, April* 12."

From the Boston Gazette, April 14, 1814.

THE LOAN.

"Subscriptions will be received through the agency of the subscriber to the 25th inst. inclusive.

"To avoid ☞ *the inconvenience of personal appearance to subscribe*, applications in writing will be received from any part of the state. Each applicant will name the highest rate he will give, and if the loan shall be granted lower than his proposal, he will reap the benefit: but if higher than his offer, he will have no share in it. The amount, rate, and ☞ NAME OF ANY APPLICANT SHALL, AT HIS REQUEST, BE KNOWN ONLY TO THE SUBSCRIBER. All the business shall be transacted, and certificates delivered to the subscribers without expense."

JESSE PUTNAM.

On the above advertisements, and others of a similar character, the following comments were published in the same paper.

"*How degraded must our government be, even in their own eyes, when they resort to such tricks to obtain money, which a common Jew broker would be ashamed of.* They must be well acquainted with the fabric of the men who are to loan them money, when they offer, that if they will have the goodness to do it, ☞ *their names shall not be exposed to the world.* They know right well that ☞ *the cause is so sneaking and vile, that nobody would be seen in the broad day-light to lend them money.* However it is consistent with the system of deception and double dealing which they have always practised.

"Capitalists may be induced to subscribe to the loan, because it will tend to *shorten the war.* But what pledge have they when they have poured all their cash into the lap of the government, that the war will end?

"No one doubts of their rancour and ill-will towards England; that they are willing to fight her as long as they can get money. Well then, if they can gull the rich men, and get as many loans as they ask for, *will they not fight till that is gone?* yea, and until they can negociate new loans upon the same terms?

"Perhaps monied men may be bribed by the high interest that is offered. ☞ *But if they withhold their aid, and so force the government into a peace,* will not their capital be better employed, if engaged in trade? will they not have better security for its payment, and at their command when they ask for it?

"On the whole, we think it no way to get out of the war, *to give money to the government,* when the very thing that prevents them from carrying it on, *is the want of money.*" Boston Gazette, April 14, 1814.

After having intimidated the citizens from lending their money publicly, by the most inflammatory, and seditious, and threatening publications, of which the preceding extracts afford a slight specimen, these writers revile and abuse the government, because *those who wish to lend, are*

invited by the brokers to do it secretly! What transcendent wickedness and injustice!

Hundreds of similar paragraphs and essays were written with a view to dissuade and intimidate monied men from subscribing to the loans. Canting hypocrites, who were violating the fundamental laws of society, encouraging "smuggling," and "perjury,"—"acquiring ill-gotten wealth at the expense of public morals"—and endeavouring, though a small minority, to trample down the majority, had the wickedness to invoke "*the judgment of God*," upon the supporters of a lawful and mild government!

In the middle states, the federalists did not enter into the project, or to a very limited extent. Many of them were subscribers—some on a very liberal scale. And thus the loans, in spite of the press, and the pulpit, and the efforts of the conspirators, succeeded, to their infinite mortification. New means were brought into operation, which were temporarily crowned with success.

CHAPTER LIII.

Smuggling carried to a great excess in Boston. Specie abundant there. Oppressive drafts on New York. Arrangements between persons in Canada and in Boston. Government Bills. Treason in the United States. Misprision of treason. High treason in Great Britain. Hanging, drawing and quartering.

How strong soever may be the general sense of the infamy of smuggling, it has always prevailed; and will never be wholly suppressed, while it holds out such great advantages, and while there are men to be found who worship gain as their God. It is not therefore surprising, that the non-importation, the embargo, &c. being denounced as oppressive, unjust, and unconstitutional—and the war as wicked, and unprovoked, and corrupt, smuggling should be carried on to a most prodigious extent, especially as the public papers in Boston repeatedly invited and urged the citizens to set the restrictive system at defiance. These circumstances conspired to supply that town with smuggled goods on a very large scale.

Of the extent to which smuggling, and fraud, and perjury have been carried in Boston, some idea may be formed from the following "precious confession," written by John Lowell. It describes a state of society not exceeded in the most corrupt countries in Europe.

*"Encouraged and protected from infamy by the just odium against the war, they engage in lawless speculations—sneer at the restraints of conscience—laugh at perjury—mock at legal restraints—and acquire an ill-gotten wealth at the expense of public morals, and of the more sober, conscientious parts of the community."**†

It was worthy of the most serious reflection of the honourable and public-spirited federalists of the middle and southern states, how far they could, without disgrace and dishonour, "*follow the lead*" of a town where such a state of things existed—where no regard was paid to "*restraints of conscience*"—where "perjury" was a subject of "laughter"—where "*legal restraints*" were "set at defiance"—and where "*public morals*" were sacrificed to the acquisition of "*ill-gotten wealth.*"—What an awful consideration it is, that such a description of citizens should have had it in their power materially to affect the destinies of eight millions of people and their posterity! for it is a most frightful truth, that all the violent, lawless, jacobinical, and wicked measures, which were driving this country to perdition, had their origin in Boston, where "perjury and smuggli..g" were the roads to fortune—and where "conscience afforded no restraint."‡

Mr. Lowell, after drawing this frightful picture, endeavours to make the administration answerable for the whole to "a just God," who "*knows how to trace the causes of human events.*" This is most sorry and contemptible canting, and can deceive no man beyond the rank of an idiot. This hideous derangement of morals is solely the production

* Road to Ruin No. 6.

† Mr. Lowell denies that the above portrait was drawn for Boston. He says "the remarks were intended to apply to other states than Massachusetts"—but he does not specify which are the states. I have reconsidered the subject, and am not disposed to admit his defence. The depravation of morals he describes, is, he says, the result of "*smuggling.*" And this is protected from infamy by "the just odium against the war." Now it is well known that there was no part of the United States where smuggling was carried on so largely and so barefacedly as in Boston—and none where so much pains were taken to excite the public passions against the war, or with so much success. It is therefore not in Mr. Lowell's power to remove the fairness of the application.

‡ I wish here to avoid being misunderstood. This statement respecting Boston is to be received with due qualifications. I have numerous and most estimable acquaintances in Boston—equal in point of honour and integrity to any citizens in the United States. And such I consider the mass of the inhabitants. But in times of factious violence, the worst men always rise uppermost; gain the ascendency; give the tone to public measures; and establish an arbitrary sway. And men who "laugh at perjury," and "sneer at the restraints of conscience," are precisely those who in such times of frenzy bear sway over their fellow citizens, and bear down or force with them the dispassionate and well intentioned. At all events, the picture of Boston is not mine. If it be incorrect, I am not answerable. Let Mr. Lowell and his friends settle the account between them.

of faction, which consecrates every means, however wicked, to answer its vile purposes.

"Administration hirelings may revile the northern states, and the merchants generally, for ☞ *this monstrous depravation of morals,* ☞ *this execrable course of smuggling and fraud.* But there is a just God, who knows how to trace the causes of human events: and ☞ *he will assuredly visit upon the authors of this war, all the iniquities of which it has been the occasion.* ☞ *If the guilty deserve our scorn or our pity,* ☞ *the tempters and seducers deserve our execration.*"*

This is very just and true. The guilty deserve our scorn. The seducers merit execration. But who, let me ask, were the seducers? Those, indubitably, who for so many years had been employed, by every means, however base or vile, in exciting the people to forcible opposition to the rulers of their choice—who had, in the public papers, openly invited those, who needed no such invitation, to violate laws fairly and constitutionally enacted, which they falsely denounced as oppressive and "*unconstitutional.*" These were "*the seducers.*" These were the men on whom heaven in its righteous decrees, would "*visit all the iniquities,*" to which their ambition, their turbulence, and their factious spirit had given occasion.

Many valuable British prizes were sent into Boston, which greatly added to the stock of goods introduced there by smuggling. The middle and southern states, which refrained from this pestiferous practice, derived nearly all their supplies of foreign merchandize from that town. This course of events filled the vaults of the banks in Boston with incomparably more specie than they ever held before—and raised very heavy balances against the banks in New York. The Philadelphia banks were indebted to New York; those in Baltimore to Philadelphia; and so on, more to the southward.

It may not be unamusing to the reader to explain this process a little more in detail. New York purchased goods largely in Boston, partly for bank notes and partly on credit. For the latter portion promissory notes were given, which were transmitted from Boston to the New York banks for collection. Very large purchases were likewise made in Boston by citizens of Philadelphia, Baltimore, Richmond, Petersburg, &c. Payments were made in bank notes, of the middle and southern states, and in promissory notes. Both were sent on to New York, the first for transmission to the banks whence they were issued—and the second for collection.

This state of things suggested the stupendous idea, at which the reader will stand aghast, of wielding the financial

* Road to Ruin, No. 6.

advantages then enjoyed by Boston, to produce the effect which the press and the pulpit had failed to accomplish—that is, *to stop the wheels of government by draining the banks in the middle and southern states of their specie, and thus producing an utter disability to fill the loans!!!* This scheme was projected in the winter of 1813-14—and immediate arrangements were made to carry it into execution. It richly earned for the projectors the heavy curses of the widows, and orphans, and other persons on whom it entailed so much distress and ruin.

Accordingly the New York, Philadelphia, and southern bank notes held by the Boston banks, were transmitted with demands for their amount in specie—and drafts were likewise drawn on the New York banks for the balances on the face of the books, to enormous amounts. I am credibly informed that the sum thus drawn was seven or eight millions* of dollars from the time of commencing these operations till the 31st of August, 1814, a space of about eight months. To relieve themselves from this pressure, the New York banks drew as largely as the state of the accounts would admit, on those in Philadelphia—the latter on those in Baltimore—and those in the latter city on Washington, Alexandria, Richmond, &c.

A fearful alarm spread through the community. The issue was looked for with terror. Wagons were loading with specie at the doors of our banks almost every week. There have been three at one time loading in Philadelphia. The banks throughout the middle and southern states were obliged to curtail their discounts. Bankruptcies took place to a considerable extent. Even wealthy men, who were wholly unprepared for such a crisis, suffered great inconvenience. Some who had subscribed to the loans, were unable to comply with their engagements: and others were withheld from subscribing, by the general pressure for money. In consequence, the loan, then pending, partially failed, to the very great embarrassment of the government, and distress of the public. *This was the nefarious object in view.*

I have before me "A true abstract of the statements of the several bank corporations of Massachusetts, rendered

* When I wrote this passage, I greatly underrated the amount thus withdrawn from the middle and southern states, which I estimated at only four millions of dollars. Subsequent enquiries have satisfied me that it was probably double that amount. The banks from New-York to Norfolk inclusively, as well as most of those to the westward, were literally drained of their specie, and nearly reduced to bankruptcy. Two millions of dollars and more, have frequently been exported from Philadelphia for the East Indies in single seasons, without producing any sensible effect.

January, 1814," and published by the secretary of that commonwealth, from which I extract the amount of specie in their vaults, and of their notes in circulation.

	Specie.	*Notes in circulation.*
Massachusetts Bank,	$2,114,164	$682,708
Union,	657,795	233,225
Boston,	1,182,572	369,903
State,	659,066	509,000
New England,	284,456	161,170
Mechanics,	47,391	44,595
	$4,945,444	2,000,601

Of course there could not be the least pretext of want of specie, to answer the utmost demand that could be reasonably calculated on. They possessed, for every hundred dollars of their notes in circulation, nearly 250 dollars in specie—a state of things probably unparalleled in the history of banking, from the days of the Lombards to the present time.

No man can pretend, that with the above enormous amount of specie, and the moderate amount of notes in circulation, these banks would have deemed it either advisable or necessary to make such very unusual and immoderate drafts, particularly at the season of the year when this project was commenced, unless there was some extraordinary object to be accomplished.

Notwithstanding the enormous sums of specie drawn into the town of Boston, from New York, Philadelphia, &c. so great was the drain away to Canada and Nova Scotia, to pay for government bills and for smuggled goods, that but a very moderate sum remained at the beginning of the present year, (1815.) I annex a statement of the amount in the vaults of the different banks, at two periods, subsequent to the preceding date, from which an idea may be formed of the pernicious extent to which these proceedings were carried.

	July 1st, 1814.	*Jan. 1st*, 1815.
Massachusetts Bank,	$1,959,405	$763,682
Union,	639,789	202,786
Boston,	1,270,731	691,729
State,	1,114,421	88,339
New England,	484,258	252,832
	$5,468,604	$1,999,368

Thus, it appears, that in six months the amount of specie

had been reduced the enormous sum of nearly three millions and a half of dollars, notwithstanding the continual supplies from New York till the 31st August, 1814.

Attempts have been made to justify the extravagant drafts above stated, as merely the result of the balance of trade in favor of Boston. It has been asserted, that it was no more than right and proper for the banks of that town to require the balances due them; and that the case daily occurs, of banks drawing on each other in a similar mode, when balances accrue.

These palliatives will not stand the test of sober examination. A large portion of the heaviest drafts, indeed those that first excited alarm, were made during the winter, when the freight was 20, 25, or 30 per cent. higher, in consequence of the wretched state of the roads, than it would have been, had they waited a few weeks. This is a conclusive circumstance, taken in conjunction with the fact, that there was a superabundance of specie in the Boston banks, and likewise with the laborious, and unceasing, and profligate efforts that had been so long made, to destroy the public credit.

It is well known to every person in the slightest degree acquainted with banking, that when two banks in different cities carry on a large intercourse with each other, balances will arise in favour of one and against the other, often to a very large amount; which balances remain unclaimed, sometimes for months together, unless the specie be actually wanted. The banks do not choose unnecessarily to incur the expense of transportation—and wait in expectation of the balance being reduced by the regular operations of trade. I think I am safe in saying that at least two millions of dollars are constantly thus circumstanced, between New York, Philadelphia, Baltimore, Washington, and Richmond. New York owes largely at times to Philadelphia—Philadelphia at other times to New York—and so of banks in other places.

To render the stroke at public credit more unerring—and to place the result wholly out of the reach of contingency, *there was an arrangement made by some persons at present unknown, with agents of the government of Lower Canada, whereby an immense amount of British government bills,**

* These bills were openly advertised for sale in the Boston papers. I annex an advertisement taken

From the Boston Daily Advertiser, Dec. 16, 1814.

1 Bill for	800*l*	British government bills for sale, by CHARLES W. GREEN, No. 14, India Wharf.
1 ditto	250	
1 ditto	203	
	1,253	

Let the reader after having considered the above ostentatious mode of ma-

drawn in Quebec, were transmitted for sale to New York, Philadelphia, and Baltimore, and disposed of to monied men, on such advantageous terms as induced them to make large purchases. And thus was absorbed a very large portion of the capital of these three cities.

These bills were forwarded through trusty persons in Boston; and the proceeds being placed to their credit, added immensely to the command the Boston banks had acquired, by the extent of the smuggling trade, over those in the middle and southern states.

Let us here make a solemn pause. Let us strip these facts of the thin veil thrown over them. Let us consider them in all their nakedness, in all their deformity.

My heart sickens at the investigation. I turn with disgust, with horror, with affright. Boston, the cradle of the revolution, which claims so high a degree of pre-eminence for her "morality and religion," after having failed in her

naging the intercourse with the enemy, compare the spirit which dictated it with the spirit of the Revolutionary war, as displayed in the following resolutions and ordinances taken from a number of a similar character.

June 2, 1775. "Resolved that no bill of exchange, draft, or order, of any officer in the army or navy, their agents or contractors, be received or negociated, or any money be supplied to them by any person in America." *Journals of Congress. Vol. I, page* 105.

March 27, 1781. "It is hereby ordained that the citizens and inhabitants of these United states be, and they are strictly enjoined and required to abstain from all intercourse, correspondence, or dealings whatsoever with the subjects of the King of Great Britain, while at open war with these United States, *as they shall answer the same at their peril.* And the executives of the several states are hereby called upon to take the most vigilant and effectual measures for detecting such intercourse, correspondence, or dealings, and *bringing the authors thereof, or those concerned therein, to condign punishment.*" *Idem, Vol. 7, page 60.*

June 21, 1782. "Whereas some of the inhabitants of the United States prompted either by a sordid attachment to gain, or by a secret conspiracy with the enemies of their country, are wickedly engaged in carrying on an illicit traffic with their enemies, whereby *a market is provided for British merchandizes,* THE CIRCULATING SPECIE IS EXPORTED FROM THE UNITED STATES, the payment of taxes rendered more difficult and burdensome to the people at large and great discouragement occasioned to honest and lawful commerce:

"Resolved, that it be and hereby is recommended to the legislatures of the several states, to adopt the most efficacious measures for suppressing *all traffic and illicit intercourse between their respective citizens and the enemy.*

"Resolved that the legislatures, or, in their recess, the executives of the several states, be earnestly requested to impress, by every means in their power, on their respective citizens at large, the baneful consequences apprehended by congress from A CONTINUANCE OF THIS ILLICIT AND INFAMOUS TRAFFIC, and the necessity of their cooperating with the public measures by such united, patriotic and vigilant exertions, as will detect and *bring to legal punishment those who shall in any manner have been concerned therein.* Idem, page 301.

endeavours to prevent the success of the loans, draws away the specie from the middle and southern states, *to bankrupt the government*, regardless of the universal ruin in which it would involve indiscriminately, friends of war—friends of peace—federalists—democrats—young and old—men, women, and children! And, *to add a deeper dye to the transaction, the specie is transmitted to Canada, and enables the enemy to despatch his red allies to swim in blood on the defenceless frontiers of their own country!** This is the work of faction, the heaviest scourge that ever issued from Pandora's box!

The consequences of these vile operations are still severely felt. Many estimable individuals have been absolutely ruined. Bank paper became an object of brokerage, and was sold at various rates from three to ten per cent. discount. A general stagnation was produced. The loss fell most heavily on the poor, as is usual in all such cases. The rich were enabled to make most extravagant profits; and many of them were literally preying upon the middle and poorer classes of society. The entire profits of business were swallowed up by the extravagant discounts paid on bank paper, a case hitherto unknown in this part of the country. And thus, in a season of distress and difficulty, the embarrassment of the citizens were doubled or trebled. And what is the most daring and profligate part of the business, the men who

"Have played these pranks before high Heaven,"

were impudent enought to charge the whole of the distress to the account of the administration!

"The offence is rank—it smells to Heaven."

To render the affair more shocking, more gross, more hideous, those who perpetrated this wickedness, hypocritically refused to rejoice in the victories of their country—as "unbecoming a moral and religious people!!!"

There is no country in the world, but the United States, wherein such a crime could be perpetrated with impunity. Even by our mildest of all mild constitutions, it is treason. "Treason against the United States, shall consist only in "levying war against them, or in adhering to their enemies,

* Mr. Lowell has attempted to deny the existence of this arrangement. But it stands on too strong ground to admit of being disproved. That these bills, to an immoderate amount, were transmitted from Quebec; that they were drawn for the support of the armies employed in hostilities against this country; that they were paid for in specie, devoted to the support of those armies; are facts too stubborn to be set aside. I hereby publicly dare him or any other person in the union to disprove any of them. They are abundantly sufficient to establish the iniquity of the case.

"GIVING THEM AID AND COMFORT." If supplying an enemy with specie to enable him to carry on the war against their native country, be not giving him "*aid and comfort*," and that of the most substantial kind, I know not what are "*aid and comfort*."

Every man concerned in the business of furnishing these aids to the enemy, *is ipso facto a traitor—his life has been forfeited*. That he has not expiated his crime by paying the forfeit, he owes to the ill-requited lenity of an insulted government. Every person who knew of the commission of the crime, and did not reveal it, was guilty of misprision of treason.

Compare this offence with the rebellion in Massachusetts under Shays; with the whiskey insurrection, in the neighbourhood of Pittsburg; or with that of the poor, deluded, ignorant Fries! You may as well compare the Andes to Mount Pleasant!

This crime in England would subject the perpetrator either to be hung and gibbetted, or to be hung, drawn, and quartered. In the former case, his carcase would be exposed to be devoured by obscene birds of prey. In the latter, his head would be elevated as an ornament on the tower of London, to deter other traitors from the perpetration of similar crimes.

Let us once more, though the sight turn us aghast, examine this hideous scene—which sinks the perpetrators and connivers into the lowest abyss of infamy.

Men in the "*moral and religious*" town of Boston are ☞ *obliged to lend their money to their own government by stealth*. But in the face of day, within the knowledge of a whole community, ☞ *they send specie to the common enemy to support him against their own country!* Can human nature sink lower? They are ☞ "*too moral and too religious*" *to rejoice at the victories of their fellow-citizens—but* ☞ *they are neither* "*too moral nor too religious*" *to aid the enemy to victory!* An age of penitence in sackcloth and ashes would not efface this foul blot from the escutcheon of Boston.

It is hardly possible to add a shade to the enormity of this crime. But one circumstance greatly enhances its atrocity. It was perpetrated while negociations for peace were pending, the success whereof it had so direct a tendency to defeat, by placing the British in a situation to rise in their demands; although the guilty persons professed to belong to the "peace party."

CHAPTER LIV.

Subject continued. Brief Statement of Facts.

The immense magnitude of the subject of the conspiracy, stated in the preceding chapters, induces me to dwell a little longer on it. And as I may have been led astray by the infatuation and delusion which is felt by almost every man who forms an hypothesis, I shall therefore state anew the naked facts of the case, unaccompanied by my comments. Let the reader duly weigh the evidence, and acquit or condemn the accused town, as he may judge proper.

I. Engagements were entered into in Boston by individuals, pledging themselves not to subscribe to the government loans.

II. When some of them afterwards did subscribe, they found it necessary to do it "*secretly*," to avoid the odium and the persecution excited against all who lent their money to the government.

III. The utmost influence of that powerful instrument, the press, and likewise of the pulpit, was employed to discourage and denounce subscribers to the loans. They were proscribed as "*infamous*," in the public papers most extensively patronised; and declared, in those papers, and from the pulpit, to be absolute "*murderers*."

IV. During the winter, when the roads were in wretched order, and when carriage was of course from 20 to 30 per cent. dearer than the common freight, (☞ *the Boston banks made immoderate, continued, oppressive, unprecedented, and hostile drafts for specie on the New York banks.* ☜)

V. At this period the former banks had in their vaults an unparalleled quantity of specie—*one hundred and fifty per cent. more than their notes in circulation.*

VI. These drafts were continued through the spring and summer, and obliged the banks in the middle and southern states so far to curtail their accommodations, as to bring the commercial world to the verge of bankruptcy. Large and ruinous bankruptcies did take place: twenty and upwards occurred in New York in one day.

VII. These drafts were carried to such a great extent, that on the 26th of August the banks in Baltimore—on the 29th those in Philadelphia—and on the 31st those in New York, were reduced to the painful necessity of suspending the payment of specie.

VIII. Contemporaneously with these immoderate drafts, a very large amount of bills drawn by the government of

Lower Canada, were, through the medium of agents in Boston, distributed in New York, Philadelphia, and Baltimore.

IX. These bills prodigiously increased the balances against the southern banks, and the power of drawing possessed by those in Boston.

X. *The specie received for these bills from New York, was forwarded to the agents of the government of Canada.*

XI. When subscriptions for loans were opened, large quantities of public stock were sent from Boston, to the markets in New York, and Philadelphia, and Baltimore, and sold at reduced rates, to tempt the monied people to invest their money therein, and thus to impede the success of the pending loans.

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I submit all these strong facts to the reader. Let him examine them, and decide for himself. If he be an upright, candid, honourable man—if he have a spark of public spirit in his composition—if he have not renounced all pretensions to the name of a Washingtonian—he will pronounce sentence of infamy against this transaction, all its agents, its emissaries, its accomplices, and against all who connived at it. If this be "*federalism of the Boston stamp,*" I trust the high-minded and honest federalists of the middle and southern states, will renounce the odious connexion, and disclaim all participation in such nefarious, such treasonable practices.

Mr. Oakley, a member of the house of representatives of the United States, in a violent and declamatory speech, alleged the strongest charges of gross mismanagement and incapacity against the administration, for disadvantageous contracts made for some of the loans, whereby millions of dollars were lost to the nation. All these losses and disadvantages are fairly chargeable to this conspiracy.

A few ambitious demagogues in Boston have been the guide of federalists throughout the union. They have led them a devious course from the paths prescribed by Washington. They have allured them to the brink of insurrection, rebellion, civil war, and horrible devastation, which are all synonimous with a dissolution of the union. Whether the latter will have magnanimity and fortitude enough to regain the honourable paths from which they have been seduced, remains to be seen. Their contemporaneous fame—their character with posterity—their peace, their happiness, their prosperity—the fate of their wives and children—the destiny of their country—the question whether we shall be united as a band of brothers, or involved in

civil war, with its train of horrors—are all at stake. The stake is immense. Pray Heaven they may form a just and enlightened decision.

CHAPTER LV.

Massachusetts compared with Tennessee. The blind leading the blind. Profits of trade fifty per cent.! Road to Ruin.

Never did faction more completely degrade and sink a people, than she has done in Massachusetts. That once high-minded state was attacked by the British with a small force. They were allowed, without an effort, to dismember it. They established a regular government in their conquests. As no effort was made by this state, whose population amounts to above 700,000 free people, to prevent the conquest, so none was made to expel the enemy. Enslaved by faction, she whined, and scolded, and murmured, and winced, and threatened, and cursed the administration for not defending her, although she had made every possible exertion to enfeeble the government, and render it incapable of defence.

To sum up the whole. Massachusetts was energetic, firm, bold, daring, and decisive in a contest with the general government. She would not abate an inch. She dared it to a conflict. She seized it by the throat, determined to strangle it! She was untameable as a lion, or a tiger, or a panther. But she was long-suffering, and mild, and patient, and harmless, and inoffensive, and gentle, and meek, as a lamb, or a turtle-dove, when she came in contact with the enemy!

There is some mystery hangs about this affair, which time alone can develope. That the British should attack Massachusetts, where they have so many friends, and spare Pennsylvania, where the great majority are hostile to them, is so contrary to all the rules of true policy, as to be almost inexplicable. I dare not trust myself to hazard a conjecture on the subject. The tame acquiescence of such a powerful state, in so degrading a situation, must have some extraordinary motive. None occurs to my mind that I would choose to commit to paper.

But mark the contrast!—what a contrast! Tennessee, with a large territory of 43,000 square miles—a white population of only 217,727, and a black one of 44,535, to guard against, is assailed by the most powerful combination of

Indians, and those of the bravest character, that ever existed since the first settlement of this country. She neither winced—nor whined—nor cursed the government—nor shrunk from danger—nor threatened a separation. She arose in her strength. She girded on her armour. She called her sons from the counter and the plough—from the anvil and the loom—from the bench and the bar—from the senate house and the council chamber—and with a very small degree of assistance from Georgia, she vanquished the hardy warriors whom a false reliance on British aid had allured to their ruin. Every successive effort on the part of the deluded assailants was equally pregnant with destruction. Completely vanquished, they bent their necks to the yoke. They cursed that seduction which tempted them from ease, and comfort, and happiness; and on the forehead of their nation imprinted the broad seal of perdition.

Since the above was written, Tennessee has earned tenfold fame by the heroism and public spirit her hardy sons have displayed at New Orleans, where they acquired not merely for themselves—and their own state—but for the entire nation, a wreath of imperishable glory. In this grand achievement Kentucky partook largely. Both these noble states poured forth their sons by thousands, some of them from a distance of nearly eight hundred miles, to repel the invaders of their native country. With what effect they performed this patriotic service, history will convey to posterity, countless ages hence. It will be a subject of laudable pride to belong to a nation, whose lawyers, and doctors—whose farmers and shopkeepers—whose clerks and mechanics, hastily collected together, signally defeated an army of veterans, as formidable as any equal number ever arrayed in arms.

The genius of Columbia hides her face with shame, and sorrow, and anguish, when she regards the ancient state of Massachusetts, degenerated from, and a disgrace to, her hardy ancestors. But she looks down with pride, and pleasure, and exultation, on the youthful, high-spirited, patriotic, and heroic Tennessee and Georgia.

It is hardly possible to find a stronger contrast—more disgraceful on the one side—more honourable on the other.

The blind leading the blind.

There is no man whose zeal in inflaming the public mind, has equalled that of the writer of the Road to Ruin. He has published as many different sets of papers to excite the abhorrence and detestation of the eastern states against the

administration, as would fill two or three large volumes. He is, in politics, as very an enragé as ever lived. So violent are his passions on this topic, that they lead him eternally astray. He commits himself by the most extravagant positions, which nothing but the epidemical madness of the times would have ever suffered to escape the keenest ridicule.

In "the Road to Ruin," he most pathetically deplores the destruction of commerce, and the introduction of manufactures, both of which he regards as equal subjects of lamentation. And to make the stronger appeal to the passions of his readers—to enhance the misfortune of the loss of commerce—he very gravely states its profits at "*fifty per cent!!!*" It is even so, reader. "*Fifty per cent!!!*" It is hard to conceive a higher grade of extravagance and folly. The average profits of successful commerce are not twelve per cent. And if the whole of the commercial capital employed in this country, during the last twenty years, be taken into view, including that of the merchants who have become bankrupts, it is probable that the profits do not exceed eight per cent. The failures among that class are very numerous, and out of all proportion greater than among any other. Of the merchants in New York and Philadelphia who were in eminence ten years ago, I think I am warranted in saying, that nearly two-thirds have been utterly ruined. It is well known, that the West India trade has been almost always a losing one. In fact, of the few fortunate merchants who escape ship-wreck, it may be fairly said,

"*Apparent rari nantes in gurgite vasto.*"

This writer is either a deceiver—or he has deceived himself. In either case he is "*a blind leader of the blind:*" And it can never be sufficiently deplored, that a man in this situation should have had so very pernicious an influence *on the destinies of eight millions of people* and their posterity. He has chosen a most felicitous title—"*The Road to Ruin*"—and verily he has so long been leading his deluded followers on "*the road to ruin,*" that he has brought them to the very verge of the precipice.

Lest the reader should suppose I have done him injustice, I submit his own words. If I have tortured his meaning, on my head be all the censure I have so freely bestowed upon him—

"*We take from trade a capital which produced* FIFTY PER CENT, *and we invest it in manufactures,* PRECARIOUS IN THEIR NATURE, which may never produce twenty, and which may prove our ruin."*

* See in the Examiner, vol. i, page 141, the Road to Ruin, No. VIII.

This short paragraph is as fallacious as any equal number of lines ever published. Every position it lays down is deceptious. When the writer emphatically states, that manufactures are "*precarious in their nature,*" he must mean, by way of contradistinction, that commerce is blest with absolute security. Both are arrant errors. Commerce is proverbially insecure. No degree of prudence affords full security in that department. Manufactures, prudently managed, have as much certainty as any other human undertakings whatever.

One word more. What dependence can be placed upon the assertions, the insinuations, the allegations, on subjects abstruse or difficult to decide upon, of a man who makes such an egregious, such a momentous error in a case where detection treads so closely on his heels?*

CHAPTER LVI.

Pulpit politics. Prostitution of the sacred functions. Massacre on board the Ocean. An anthology of sedition. Success of the war.

"Politics and the pulpit are terms that have little agreement. ☞ *No sound ought to be heard in the church but the voice of healing charity.*" [What a divine idea!] "The cause of civil liberty and civil government gains as little as that of religion, by this confusion of duties. Those who quit their proper character, to assume what does not belong to them, are, for the greater part, ignorant both of the character they leave, and of the character they assume. Wholly unacquainted with the world, in which they are so fond of meddling, and inexperienced in all its affairs, on which they pronounce with so much confidence they know nothing of politics but the passions they excite. ☞ *Surely the church is a place where one day's truce ought to be allowed to the dissentions and animosities of mankind.*" Burke.

Of all the abominations that disgrace and dishonour this country in these portentous times, I know nothing more deserving of reprobation than the prostitution of the pulpit for party or political purposes. No man of correct mind can seriously reflect upon it without shuddering with horror.

A clergyman, whose functions pre-eminently require him to preach "*peace and good will among men,*" ascends the pulpit among a congregation assembled to unite in praising and adoring their Omnipotent Creator. *He holds in his hands the Testament of Jesus Christ, which breathes nothing*

* I here make a public apology for having erroneously ascribed these seditious and inflamatory publications to the late amiable judge Lowell. My distance from the place of their publication will, I trust, apologize, — well as account for the error.

but peace—he pronounces, and has for a text, the words of Jesus Christ, or of his apostles, of the most pacific tendency: and, as a suitable accompaniment, for an hour long he employs all his zeal, all his talents, all his influence, for the anti-christian, the inhuman purpose of *enkindling among his hearers the most baleful, the most furious passions—of preparing them for insurrection and revolution—for all the horrors of civil war!*

"The alternative then is, that if you do not wish to become the slaves of those who own slaves, and who are themselves the slaves of French slaves, you must either in the language of the day, ☞ CUT THE CONNEXION, or so far alter the national compact, as to insure yourselves a due share in the government."

This elegant and sublime morceau, which breathes so much of the spirit of St. Paul, *"let every soul be subject to the higher powers,"* is taken from a sermon preached in Boston, by the Rev. Mr. Gardiner, July 23, 1812. The christian injunction of ☞ *"cutting the connexion,"* that is, ☞ *rebelling against their own government,* wonderfully accords with the declaration of the text, which, gentle reader, is—☞ *"I am for peace."* Psalm 120, v. 7. Never was there a more wonderful association—☞ *"Cut the connexion"*—and ☞ *"I am for peace!"* From such apostles of peace, good Lord deliver us!

It is impossible much to aggravate the hideousness of this procedure. But when the preacher commits himself by falsehood, even undesignedly, as sometimes happens, it caps the odious climax. On the eve of a general election a few years since in Massachusetts, to answer the purposes of party, a fabulous story was circulated, that the French had massacred the crew of a vessel called the Ocean. It was one of the thousand falsehoods invented to answer momentary purposes of the same kind. A clergyman, whose name I spare, seized the story with avidity—wove it into his sermon—and invoked the vengeance of heaven on the murderers. But mark the end of it. The holy zeal of the auditory had not time to cool, when, to cover the preacher with confusion, a resurrection of the murdered crew took place. They returned home, safe and sound, from the stilettos and daggers of the blood-thirsty French—and held out a strong memento to the preacher against a repetition of such an anti-christian procedure.

The practice of preaching political sermons is utterly improper, even when a congregation are all united—all of one sentiment, if such a case ever occurred. But when they are divided, as must necessarily almost always happen, what a view does it present? That portion of the congregation differing from the politics of the preacher, are reduced

to the alternative of either absenting themselves from divine worship, or sitting patiently silent under the undeserved reproaches, and abuse, and maledictions of a man who flies in the face of all his duties, and to whom they cannot offer a reply.

To enable the reader to form a correct estimate of the abomination which I have here denounced, and of the justice of the denunciation itself, I present him with an anthology, selected from the sermons of three clergymen, the Rev. Messrs. Parish, Osgood, and Gardiner, to whom no small portion of the seeds of insurrection, rebellion, and civil war, so plentifully sown in the eastern states, is justly chargeable. Never, since the first establishment of the clerical functions, were they more miserably employed—more contrary to the divine injunctions of the meek and mild Jesus, whose disciples these reverend gentlemen profess to be—whose doctrines they profess to teach—and whose example they profess to follow, and to hold out for imitation.

From the Rev. J. S. J. Gardiner, A. M. rector of Trinity Church, Boston.

"The British, after all, save for us by their convoys, infinitely more property than they deprive us of. ☞ WHERE THEY TAKE ONE SHIP, THEY PROTECT TWENTY. Where they commit one outrage, they do many acts of kindness." *Discourse delivered April* 9, 1812, page 15.

"England is willing to sacrifice every thing to conciliate us, except her honour and independence." Idem, page 10.

"It is a war ☞ *unexampled in the history of the world;* ☞ wantonly proclaimed on the ☞ *most frivolous and groundless pretences,* against a nation from whose friendship we might derive the most signal advantages, and from whose hostility we have reason to dread the most tremendous losses." *Discourse delivered July* 23, 1812, page 3.

"So far from there being British partizans in this country, it is difficult to find an individual candid enough to do that nation common justice." Idem, page 10.

"☞ *Every provocation has been offered to Great Britain on our part, and* ☞ *our resentment has risen in proportion as she has shewn a conciliating spirit.*" Idem, page 12.

"What consequence is it to you if they be repealed or not, *if you are sold to Napoleon,* ☞ *as you have reason to believe, by the slaves who have abused your confidence!*" Idem, page 11.

"Let no considerations whatever, my brethren, deter you at all times, and in all places, from execrating the present war. It is a war unjust, foolish, and ruinous. It is unjust, because ☞ GREAT BRITAIN HAS OFFERED US EVERY CONCESSION SHORT OF WHAT SHE CONCEIVES WOULD BE HER RUIN." Idem, page 15.

"As Mr. Madison has declared war, let Mr. Madison carry it on. Idem, page 17.

"THE UNION HAS BEEN LONG SINCE VIRTUALLY DISSOLVED: AND IT IS FULL TIME THAT THIS PART OF THE DISUNITED STATES SHOULD TAKE CARE OF ITSELF." Idem, page 19.

From the Rev. David Osgood, D. D. pastor of the church at Medford.

"The strong prepossessions of so great a proportion of my fellow citizens in favour of a race of demons, and against a *nation of more religion, virtue, good faith, generosity, and beneficence, than any that now is, or ever has been upon the face of the earth*, wring my soul with anguish, and fill my heart with apprehension and terror of the judgments of heaven upon this sinful people." *Discourse delivered April* 8, 1810, page 40.

"If at the command of weak or wicked rulers, they undertake an unjust war, each man who volunteers his services in such a cause, or loans his money for its support, or by his conversation, his writings, or any other mode of influence, encourages its prosecution, that man is an accomplice in the wickedness, ☞ loads his conscience with the blackest crimes, ☞ brings the guilt of blood upon his soul, and ☞ IN THE SIGHT OF GOD AND HIS LAW IS A MURDERER." *Discourse delivered June* 27, 1812. page 9.

"Since the period of their pretended repeal, SCORES, IF NOT HUNDREDS of our vessels had been seized in French ports, or burnt at sea by French cruisers, while many of their unoffending crews were ☞ *manacled like slaves, confined in French prisons, or forced on board French ships to fight against England.*" Idem, page 11.

"Our government, with a hard hood and effrontery ☞ *at which demons might have blushed*, persisted in asserting the repeal." Ibid.

"My mind has been in a constant agony, not so much at the inevitable loss of our temporal prosperity and happiness, and the complicated miseries of war, as at its guilt, its outrage against heaven, *against all truth, honesty, justice, goodness—against all the principles of social happiness*" Idem, page 12.

"Were not the authors of this war in character nearly akin to the deists and atheists of France; were they not men of ☞ *hardened hearts, seared consciences, reprobate minds, and desperate wickedness*, it seems utterly inconceivable that they should have made the declaration." Idem, page 13.

"One hope only remains, that this last stroke of perfidy may open the eyes of a besotted people; that they may awake, like a giant from his slumbers, and WREAK THEIR VENGEANCE ON THEIR BETRAYERS, by driving them from their stations, and placing at the helm more skilful and faithful hands." Idem, page 17.

"*If, at the present moment, no symptoms of civil war appear, ☞ they certainly will soon—unless the courage of the war party should fail them!!!*" Idem, page 14.*

"*A civil war becomes as certain as the events that happen according to the known laws and established course of nature!!!*" Idem, page 15.*

From the Rev. Elijah Parish, D. D.

"The Israelites became weary of yielding the fruit of their labour to pamper their splendid tyrants. They left their political woes. THEY SEPARATED. ☞ WHERE IS OUR MOSES!!! *Where is the rod of his miracles!!! Where is our Aaron!!!* Alas! ☞ no voice from the burning bush has directed them here." *Discourse delivered at Byfield, April* 7, 1814, page 18.

"*There is a point—there is an hour—beyond which you will not bear!!!*" Idem, page 12.

"Such is the temper of American republicans, so called. *A new language*

* These sentences are already quoted in a former part of this book. They are nevertheless repeated here, as peculiarly appropriate.

must be [illegible] before we attempt to express ☞ *the baseness of their conduct, or describe the rottenness of their hearts.*"* Idem, page 21.

"New England, if invaded, would be obliged to defend herself. Do you not then owe it to your children, and owe it to your God, *to make peace for yourselves?*" Idem, page 23.

"You may as well expect the cataract of Niagara to turn its current to the head of Superior, as a *wicked congress to make a pause in the work of destroying their country*, while the people will furnish the means." Idem, page 8.

"Alas! ☞ WE HAVE NO MOSES TO STRETCH HIS ROD OVER THE SEA!!! ☞ No Lebanon, nor Carmel, nor Zion invites us across the deep!" Idem, page 14.

"The republics of Rome, and Venice, and perhaps another, which alone exists, have been as oppressive as the despotism of Turkey, of Persia, or Japan." Idem, page 3.

Of the law of Pharaoh, which condemned to death the first born of the Israelites, this reverend gentleman says—"*A thousand times as many sons of America have probably fallen victims of this ungodly war, as perished in Israel by the edict of Pharaoh.* Still the war is only beginning. If ten thousand have fallen, *ten thousand times ten thousand may fall.*" Idem, page 7.

Those who take the trouble of multiplying, will find that ten thousand times ten thousand make 100,000,000, who are to perish out of a population of 8,000,000!!!

"Should the English now be at liberty to send all their armies and all their ships to America, and *in one day burn every city from Maine to Georgia, your condescending rulers would play on their harps, while they gazed at the tremendous conflagration.*" Idem, page 8.

"*Tyrants are the same* on the banks of the Nile and the Patowmac—at Memphis and at Washington—*in a monarchy and a republic.*" Idem, page 9.

"Like the worshippers of Moloch, the supporters of a vile administration sacrifice their children and families on the altar of democracy. Like the widows of Hindostan, they consume themselves. Like the frantic votaries of Juggernaut, they throw themselves under the car of their political idol. They are crushed by its bloody wheels." Idem, page 11.

"The full vials of despotism are poured on your heads. And yet you may challenge the plodding Israelite, the stupid African, the feeble Chinese, the drowsy Turk, or the frozen exile of Siberia, to equal you in *tame submission to the powers that be.*" Idem, page 12.

"*Here we must trample on the mandates of despotism!!!* or here we must remain slaves for ever." Idem, page 13.

"You may envy the privilege of Israel, and mourn that *no land of Canaan has been promised to your ancestors.* You cannot separate from that mass of corruption, which would poison the atmosphere of paradise. You must in obstinate despair bow down your necks to the yoke, and with your African

* After the reader has perused this uncharitable effusion of prejudice and virulence, let him compare it with the following declaration, made by this reverend gentleman, in a sermon preached at Cambridge, April 8, 1810:—"God is my witness that I would not upon any consideration, willingly or unnecessarily wound the feelings of, or give offence to, an individual in this assembly."

brethren drag the chains of Virginia despotism, *unless you discover some other mode of escape.*" Idem, page 18.

"Has not New England as much to apprehend as the sons of Jacob had? *But no child has been taken from the river to lead us through the sea.*" Idem, page 20.

"If judgments are coming on the nation—if the sea does not open thus a path, where, how, in what manner will you seek relief? Ibid.

"God will bring good from every evil. The furnaces of Egypt lighted Israel *to the land of Canaan.*" Idem 22.

"Which sooty slave, in all the ancient dominion, has more obsequiously watched the eye of his master, or flew to the indulgence of his desires more servilely, than the same masters have waited and watched, and obeyed the orders of the great Napoleon?" *Discourse delivered at Byfield, April 8, 1813,* page 21.

"Let every man who sanctions this war by his suffrage or influence, remember that he is labouring to cover himself and his country with blood. ☞ THE BLOOD OF THE SLAIN WILL CRY FROM THE GROUND AGAINST HIM." Idem, page 23.

"How will the supporters of ☞ *this anti-christian warfare* endure their sentence—endure their own reflections—☞ *endure the fire that forever burns*—☞ *the worm which never dies—the hosannas of heaven*—☞ WHILE THE SMOKE OF THEIR TORMENTS ASCENDS FOREVER AND EVER." Idem, page 24.

"To raise army after army to be sacrificed, when the English do all which is possible, to soften the rigours of captivity, by kindness to the prisoners which they have taken *by thousands and thousands, restoring them to their families* WITHOUT A RANSOM, AND WITHOUT THEIR REQUEST; to carry on such a war, after its only avowed cause has been removed, is it not the lawless attack of Goths and Vandals, the daring pillage of wild Arabs, a fiendlike outrage on all the principles of christianity, an impious abandonment of divine protection?" Idem, page 5.

"The legislators who yielded to this war, when assailed by the manifesto of their angry chief, *established iniquity and murder by law.*" Idem, page 9.

"In the first onset [of the war] moral principle was set at defiance. The laws of God, and hopes of man were utterly disdained. *Vice threw off her veil, and crimes were decked with highest honours.* This war not only tolerates crimes, but calls for them, demands them. Crimes are the food of its life, the arms of its strength. This war is a monster, which every hour gormandizes a thousand crimes, and yet cries, "give—give." In its birth, it demanded the violation of all good faith, perjury of office, the sacrifice of neutral impartiality. The first moment in which the dragon moved, *piracy and murder were legalized. Havoc, death and conflagration were the viands of her first repast.*" Idem, page 11.

"Those western states which have been violent for this abominable war of murder—those states which have thirsted for blood, *God has given them blood to drink. Their men have fallen. Their lamentations are deep and loud.*" Idem, page 16.

"*Our government, if they may be called the government, and not the destroyers of the country,* bear all these things as patiently as a colony of convicts sail into Botany Bay." Idem page 5.

I had begun to write some comments on these extracts. But I have changed my purpose. I leave them to the judgment of the reader. I shall simply say, if the preachers believed all they asserted, what transcendent infatuation!

If they did not, what transcendent turpitude! In either case, what transcendent *profanation of the clerical functions!*—and of a religion breathing peace and good will among men! May the Lord of his infinite mercy grant that no American congregation may ever hear such sermons again!

Success of the War.

The enemies of the administration were lavish of their reproaches, in the early stages of the war, on its ill success, which to many of them was a subject of as much triumph, as if they belonged to a hostile nation—as if whatever dishonour and disgrace might arise from it, were to attach themselves wholly to the administration. The blindness and perversity of many of our citizens on this topic, were utterly astonishing. Whatever of glory was acquired, or of disgrace sustained in the war, its friends and enemies partook equally in the eyes of the world.*

It is likewise made a subject of reproach to the administration, and of rejoicing to some deluded people whom party passions have led astray, and blinded to the interest and honour of their country, that the government has abandoned its ground on the subject of impressment! A most melancholy subject of rejoicing! Alas! it was not the power of England, nor the downfal of Bonaparte, that produced this abandonment of the claims of the poor, suffering, nautical hero! No. Internal discord, more fatal than tens of thousands of embattled enemies, has riveted the chains of impressment on countless numbers of future Hulls, Perries, Porters, Laurences, and M'Donoughs.

But had the war been really unsuccessful, it would not be surprising. It would have more completely covered the nation with the proudest laurels, had Boston observed an impartial neutrality. But she persecuted the government with as much virulence, and malignity, and violence, as if it were administered by demons incarnate. She involved in the vortex of disaffection no small portion of the population of her own and sister states, and did *England more effective service, than all her armies.*†

* This all-important idea is placed in the strongest and most striking point of light by the Editor of the Analytical Review, in the life of commodore Perry—of which most elegant performance, may be said with perfect truth, the hero was worthy of such a Biographer, and the Biographer was worthy of such an illustrious hero. There is not extant a production of which I should be more gratified to be the author.

† Of the style and manner in which the government has been assailed on the subject of the loans, the reader will find in the 52d and 56th chapters, a few specimens. Many of the paragraphs on this and other topics display a

The war, to the mortification of the enemies of the country, has crowned the United States with naval glory. We have more impaired the naval standing of Great Britain, than all the enemies she has had for a century: and our Scotts, and our Browns, and our Ripleys, and our Gaineses, and our Macombs, and our Coffees, and our Carrols, and our Jacksons, have acquired by land, honour and glory equal to what has been acquired on the water by our Hulls, Decaturs, Bainbridges, Perries, Porters, Joneses, and M'Donoughs.

Let those infatuated men who caught the government by the throat, and almost strangled it, by the destruction of its credit, and by shackling all its efforts, only reflect for a few minutes calmly on the effect of their conduct. They desired peace. But they really prolonged the war. If, notwithstanding the immense disadvantages under which it was carried on, through the disaffection of such a large body of our citizens, we so harassed and crippled the trade of the enemy, what would have been the result, had the united energies of the nation been employed to avenge the national wrongs—had all the ports of the eastern states contributed their portion towards the common cause? Great Britain would in that case have been weary of the war in twelve months. She would have given us an early and honourable peace. Millions of debts and taxes would have been saved—thousands of lives on both sides preserved—the destruction of public and private credit prevented—and the two nations would have been early restored to the relations of commerce and friendship. This is an awful view of the labours of the "*peace party.*"

CHAPTER LVII.

Parties change name and character. Jacobins. Definition. Unholy struggle for power, the cause of all our difficulties. Candid confession.

Parties sometimes change their names, though they retain their principles. But they more frequently change

degree of malice, and virulence, and ribaldry, that can only be equalled by the writers of the Courier and the Times. Adhesion to the enemy is visible in the elaborate defences of his conduct that so frequently appear in a large proportion of the papers published to the eastward. And, strange to tell, there was a most laboured set of essays published in Boston under the signiture of Pacificus, defending the monstrous claim to 165,000,000 of acres of our territory, as a *Sine-qua-non* condition of peace. These essays were republished in most of the federal papers throughout the union, without comment or censure.

their character, and conduct, and principles, still retaining their names. On many occasions in England, whig administrations have enforced tory measures. And some of the most whiggish measures have been adopted by tory administrations. A very large number of the democrats in 1793, particularly in the western parts of Pennsylvania, were rank jacobins and disorganizers. They offered violence to the government, and raised an insurrection, to free themselves from a paltry excise on whiskey, one of the most rational and salutary taxes ever devised. Most of those men who then violated the laws in this respect, are now strenuous supporters of the government.

On the other hand, the federalists of 1793, 4, 5, 6, 7, and and 8, were zealous "*friends of order and good government.*" This was with them a sort of watch-word. They were ardent supporters of the honour of the constituted authorities, which they identified with their own. A very large portion of them still adhere to the good old faith and practice. But there are too many who are as arrant jacobins and disorganizers, and as ripe for tumult and commotion, as the most violent of the democrats in 1793. They may murmur and may curse me for this declaration as much as they please. I care not. They may exhaust Ernulphus's whole collection of maledictions on my devoted head. But were these maledictions ten times told over, they would not efface from their escutcheon the foul blot of jacobinism. A jacobin is a man of violence in politics—an enemy to legal government—and ripe for revolution. This definition is substantially correct. And therefore every man is a jacobin who was in favour of *sending to Elba, the President of the United States*, chosen by the unbiassed votes of a free nation. Every man is *a rank jacobin*, who was for *putting down the administration* by force. Every man is *a rank jacobin*, who with Mr. King of Massachusetts, regardless of decency, decorum, propriety, or dignity of character, threatened the president in an inuendo *with a halter.** *Every man is a rank jacobin*, who, with Mr. Coleman, editor of the New York Evening Post, preferred *war with all its horrors, all its devastations, to a continuance of the present administration.* Every man is a rank, furious, envemoned, and dangerous jacobin, who, with Mr. Blake, a *quondam democrat*, seized the advantage of a distressing war, to organize one portion of this nation against the rest.†

* To the disgrace and dishonour of the house of representatives of the United States, this vile effusion of Billingsgate was allowed to pass without a a call to order.

† Mr. Blake is likely to be a conspicuous character. Neither Marat, Danton, nor Robespierre *began* their career with more violence than he has

In fine, every man who wishes the minority to trample down and rule the majority—who himself opposes, or who excites opposition to, the laws—who seeks to dissolve the union under any pretext whatever—who defends the enemies of his country, right or wrong, and slanders and degrades his own government, is an enragé—a disorganizer—a jacobin.

Struggle for Office.

It is in vain to disguise the truth. Would to God, that I had a voice of thunder to proclaim it through the nation! The convulsions and dangers of our country have arisen from the lust of office and power. The safety, the welfare, the happiness of eight millions of people and their posterity were jeopardized and exposed to ruin, in the unholy struggle. To embarrass, disgrace, and render odious and unpopular the men possessed of power, for the purpose of displacing them, and vaulting into the vacant seats, is a procedure, as ancient as government itself. And that it has been almost universally prevalent here, is incontrovertible. It is not wonderful that those whose grand and sole objects are power and the emoluments of office, should pursue this plan. The depravity of human nature sufficiently accounts for it. But that a large portion of the community who neither have nor hope for place of honour or profit, should lend themselves to such a scheme—should allow themselves to be made instruments to be wielded for the purpose—that they should, as the history of this young country has often verified, shut their eyes to the vital interests of the nation, in order to promote the aggrandizement of a few men, is really astonishing.

The following paragraph from the New York Evening Post, is as candid a confession of a most sinister object as

already displayed. *Nemo repente turpissimus.* He will improve as he goes on. I stake my existence, that should a civil war have taken place (as would have been the case, had Mr. Blake's councils prevailed) and should his party not have been crushed in the conflict, as they probably would—if he had the ascendency, there would have been as summary process with the democrats of that quarter as there was with the royalists under the *guillotine government of Paris—Men are monsters all the world over, when unrestrained by law and constitution.* I hope in the tender mercy of God, we shall not try the experiment. But if in the vengeance of heaven, we are destined to do it, we shall add our example to that of France in proof of this theory. Mr. Blake transcends his friend Mr. Otis far. The latter gentleman is surely violent enough—but he is obliged to curb and restrain *the converted democrat.* Perhaps this is a *ruse de guerre*—perhaps the outrageous violence of Mr. Blake is intended to form a contrast with the mildness of the projet of Mr. Otis, who is thereby to gain the popular title of a "modéré." Old Lord Burleigh, or Machiavel himself, could not arrange the matter better. But, reader, I merely *guess* at these things. I am too far removed from the chess board, to judge of the state of the game.

ever was made. While we were exposed to all the horrors of war—our cities and towns liable to Copenhagenism—our wives and our daughters to violation—it was ingenuously avowed, that all these frightful evils *were of no account compared with the exclusion of Mr. Coleman's friends* from office!!! It is impossible to mistake the idea. It is capable of no other than this interpretation. However we reprobate its want of public spirit, its candour commands applause.

"What would be the value of a peace, if not attended with a change of those rulers who are driving the country headlong to ruin? A PEACE, *if such be its effects*, WOULD BE THE HEAVIEST OF CURSES.—*There is no event that could happen—no possible condition of things that could be imagined, which ought not to be deplored, and avoided, as the* HEAVIEST OF CALAMITIES, *if its tendency is to perpetuate power in the profligate hands that for sixteen years have governed this unhappy country.*"

The man who can read these declarations without shuddering with horror, must have his moral feelings destroyed, or at least blunted to an extreme degree. These sentiments have appeared in other papers besides the New York Evening Post.

This paragraph affords a complete clue to all the convulsive struggles in congress—all the efforts to prevent the success of every measure calculated to meet the recent emergency. The possession of power on the one hand, or the perdition of the country on the other, were the alternative. The parties had no hesitation about forcing the choice on their ill-starred country.

CHAPTER LVIII.

Illiberality of prejudices against foreigners. Ungrateful on the part of America. Irishmen and Frenchmen peculiar objects of dislike. Pennsylvania line. Extreme suffering. Tempting allurements. Unshaken virtue and heroism. Arnold. Silas Deane. Refugees.

"The real cause of the war must be traced to * * * * * the influence of *worthless foreigners* over the press, and the deliberations of the government in all its branches." *Reply of the house of representatives of Massachusetts to the speech of governor Strong, June,* 1814.

"*Thou shalt neither vex a stranger, nor oppress him; for ye were strangers in the land of Egypt.*" Exodus, xxii. 21.

I HAVE long desired a fair opportunity of handling this topic. I have long felt indignant at the indiscriminate abuse hurled on foreigners in general—and more particularly on

the Irish, on whose devoted heads "*the vials of wrath*" are incessantly "*poured out.*"

There is no country that owes more to—there is no country has more need of—foreigners. There is no country in which they are more the objects of invective, of reproaches, of envy and jealousy.

A jealousy of foreigners prevails in England. But it is confined to the canaille, who, trundling their barrows—sweeping the streets—or pursuing their genteel offices of chimney sweeps and night men—hate and despise the *bag and tail parleyvoo—the blundering Irishman—the simple sawney Scotchman—the leek-eating Welchman.* In fact, every man who wears a coat different from their own, or who displays any indication that proves him not to be a "true-born Englishman," is an object of contempt to an English scavenger.

But it is not thus in high life in that country. A foreigner of genteel manners—decent address—and good character, is treated with the attention and politeness he deserves.

With a degree of magnanimity, deserving of praise, and worthy of being made an example, England, who possesses abundance of artists of high standing, and sterling merits, appointed the American West, as president of her royal academy. France, with a constellation of native talents never exceeded, entrusted her armies to a Berwick, to a Saxe. At a more recent period, a Swiss banker presided over her financial concerns. Russia has frequently placed over her fleets Scotch naval heroes. In fact, go through Christendom, and you will find there is no country so savage, so uncultivated, or so highly polished and refined, which does not cheerfully avail itself of the proffered talents of the foreigner who makes his permanent domicil there.

But in this "*most enlightened*" of all the enlightened nations of the earth, party spirit has excited a peculiar degree of malevolence against the Irish and the French—and for the same reason, because England is hostile to both. The urbanity, the mildness, the equanimity, the refinement, and the politeness of the Frenchman, avail him nothing. He is an object of jealousy and ill-will, in spite of all his own good and endearing qualities, and in spite too of the services his nation "*in the fiery hour of trial*" rendered the United States. The poor, persecuted, proscribed, and oppressed Irishman, hunted out of his own country, and knowing the value of liberty here, from the privation of it there, finds the antipathies of his lords and masters transferred to many of those whose fellow citizen he intends to become. To

some of these narrow, infatuated, bigoted, and illiberal men, a Hottentot, or a Caffrarian, or a Japanese, would be more acceptable than an Irishman.

One circumstance—were there no other on record—ought to endear to Americans, the name, the country of an Irishman. It has a high claim, not cancelled, on the pen of the historian. It has not yet had justice done it. Let me grace my book with the narrative.

During the American revolution, a band of Irishmen were embodied to avenge in the country of their adoption the injuries of the country of their birth. They formed the major part of the celebrated Pennsylvania line. They fought and they bled for the United States. Many of them sealed their attachment with their lives. Their adopted country was shamefully ungrateful. The wealthy, the independent, and the luxurious, for whom they fought, were riotting in all the comforts and superfluities of life. Their defenders were literally half starved, and half naked. Their shoeless feet marked with blood their tracks on the highway. They long bore their grievances patiently. They at length murmured. They remonstrated. They implored a supply of the necessaries of life. But in vain. A deaf ear was turned to their complaints. They felt indignant at the cold neglect—at the ingratitude—of that country for which so many of their companions in arms had expired on the crimsoned field of battle. They held arms in their hands. They had reached the boundary line, beyond which forbearance and submission become meanness and pusillanimity. As all appeals to the gratitude, the justice, the generosity of the country had proved unavailing, they determined to try another course. They appealed to its fears. They mutinied. They demanded with energy that redress for which they had before supplicated. It was a noble deed. I hope in all similar cases, similar measures will be pursued.

(Let me digress for a moment. I cannot resist the temptation to bear my testimony against conduct considerably analagous to what I have here reprobated. Philadelphia was lately struck with fear of an invading foe. Thousands of citizens, many of them hundreds of miles remote from us, volunteered their services in our defence. They left their homes, their fire-sides, their parents, their wives, their children, their business, and all their domestic enjoyments, to protect us. We made them a base return. They pined and languished in the hardships of a camp, neglected—grossly, shamefully neglected, by those for whom they were prepared to risk their precious lives. Contributions

were requested by the committee of defence for the comfort of the soldiers, and for the support of their wives and children. It is painful to state, but it must be stated, that in a city where there are probably one hundred persons worth above $250,000—thirty or forty worth $ or 400,000—and several supposed to be worth millions—the whole contribution did not exceed $5,000—a sum which half a dozen individuals ought to have contributed themselves. The ingratitude and want of liberality of the citizens of Philadelphia, and the poverty of the government, which was unable to pay the militia their hard-earned dues, ☞ *forced many of them to depend on charity for the means of reaching their distant homes!!!* Could the immortal PENN, the founder of the City of Brotherly Love, look down from the regions of bliss, where he is at rest, he must have sighed over the disgraceful scene.

> "The quality of mercy is not strained:
> "It droppeth as the gentle dew from Heaven
> "Upon the place beneath. It is twice bless'd,
> "It blesseth him that gives, and him that takes."

The sun has not shone on more despicable conduct.]

To return to the Pennsylvania line. The intelligence was carried to the British camp. It there spread joy and gladness. Lord Howe hoped that a period had arrived to the "*rebellion*," as it would have been termed. There was a glorious opportunity of crushing the half-formed embryo of the republic. He counted largely on the indignation, and on the resentment of the natives of "*the emerald isle.*" He knew the irascibility of their tempers. He calculated on the diminution of the strength of "*the rebels,*" and the accession to the numbers of the royal army. Messengers were despatched to the mutineers. They had *carte blanche.* They were to allure the poor Hibernians to return, like prodigal children, from feeding on husks, to the plentiful fold of their royal master. Liberality herself presided over his offers. Abundant supplies of provisions—comfortable clothing to their hearts' desire—all arrears of pay—bounties—and pardon for past offences, were offered. There was, however, no hesitation among these poor, neglected warriors. They refused to renounce poverty, nakedness, suffering, and ingratitude. The splendid temptations were held out in vain. There was no Judas, no Arnold there. They seized the tempters. They trampled on their shining ore. They sent them to their general's tent. The miserable wretches paid their forfeit lives for attempting to seduce a band of ragged, forlorn, and deserted, but illustrious heroes. We prate about Roman, about Grecian patriotism.

One half of it is false. In the other half, there is nothing that excels this noble trait, which is worthy the pencil of a West or a Trumbull.

Let me reverse the scene. Let me introduce some characters of a different stamp. Who is that miscreant yonder—dark, designing, haggard—treachery on his countenance—a dagger in his hand? Is it not Arnold? It is. Was he an Irishman? No. He was not of the despised cast, the foreigners. He was an American. Neither Irish nor French blood flowed in his veins.

Behold, there is another. Who is he, that, Judas like, is pocketing the wages of corruption, for which he has sold his country? Is he an Irishman? No. He is a native American. His name is Silas Deane.

But surely that numerous band of ruffians, and plunderers, and murderers, who are marauding and robbing—who are shooting down poor farmers, and their wives, and their children, are "*foreigners*." It is impossible they can be natives. No native American would perpetrate such barbarities on his unoffending fellow-citizens. It is an error. They are refugees and tories—all native born.

I am an Irishman. With the *canaille* in superfine cloths and silks, as well as with the *canaille* in rags and tatters, this is a subject of reproach. For every man, woman, or child, base enough to attach disgrace to any person on account of his country, I feel a most sovereign, an ineffable contempt. Let them move in what sphere they may, whether in coffee-houses, or ball-rooms, or palaces—in hovels, or garrets, or cellars—they are groveling, sordid, and contemptible.——To express the whole in two words—pity there were not words more forcible—they are MERE CANAILLE.

I glory, I feel a pride in the name of an Irishman. There is not under the canopy of Heaven, another nation, which, ground to the earth as Ireland has been, for six hundred years, under so vile a proconsular government—almost every viceroy a Verres—a government whose fundamental maxim is "divide and destroy"—whose existence depends on fomenting the hostility of the Protestant against the Presbyterian and Catholic, and that of the Catholic against the Protestant and Presbyterian—there is not, I say, another nation, which, under such circumstances, would have preserved the slightest ray of respectability of character.

A book now lies before me, which, in a few lines, with great naïveté, developes the horrible system pursued by England in the government of Ireland, of exciting the jealousy of one part of the nation against the other. A schemer of the name

of Wood, had influence enough to procure a patent for supplying Ireland with copper coin in the year 1724, by means whereof he would have amassed an immense fortune by fleecing the nation of its gold and silver in return for his base copper. Dean Swift exposed the intended fraud with such zeal and ability, that he aroused the public indignation at the attempt, and thus the projector was fairly defeated, and his patent revoked. Primate Boulter, who was at that period prime minister of Ireland, in a letter to the Duke of Newcastle, deplores the consequences of this fraudulent attempt, in uniting the parties, who, till then, had been embittered enemies. This grand dignitary of the church regarded a cessation of discord and hostility among the oppressed Irish as a most alarming event! pregnant with danger to the authority of England! But, reader, I will let him speak for himself:

"The people of every religion, country, and party here, are alike set against woods' half-pence: and, ☞ their agreement in this has had A VERY UNHAPPY INFLUENCE ON THE AFFAIRS OF THE NATION, *by bringing on a cabal between Papists, and Jacobites, and the whigs, who before had no correspondence with them.*"!!! See Boulter's letters, vol I, page 7. Dublin Edition, 1770.

Notwithstanding all the grinding, the debasing circumstances that militate against Ireland and Irishmen, there is no country in Christendom, which has not witnessed the heroism, the generosity, the liberality of Irishmen—none, where, notwithstanding the atrocious calumnies propagated against them by their oppressors, they have not forced their way through the thorny and briery paths of prejudice and jealousy, to honour, to esteem, to respect.

It has been said, that they are in this country turbulent, and refractory, and disorderly, and factious. This charge is as base as those by whom it is advanced. There is more turbulence, more faction, more disaffection in Boston, whose population is only 33,000, and which has as few foreigners as perhaps any town in the world, than there is in the two states of Pennsylvania and New York, with a population of 1,700,000 and which contain probably two-thirds of all the native Irishmen in this country. While native born citizens, some of whom pride themselves on Indian blood flowing in their veins, and others who boast of a holy descent from those "*sainted pilgrims*" whom British persecution drove to the howling wilderness, were sacrilegiously and wickedly attempting to destroy the glorious (would to Heaven I could say the immortal) fabric of our almost divine form of government; of the Irishmen in this country, high and low, ninety-nine of every hundred were strenuously labouring to ward off the stroke.

I said there is no country that owes more to foreigners than the United States. I owe it to myself and to my reader, not to let a point of such importance rest on mere assertion. Of the men who acquired distinction in the cabinet, or in the field, during the revolutionary war, a very large proportion were foreigners. In "the times that tried men's souls," their services were acceptable—they were gladly received, and courteously treated. But now, like the squeezed orange, they are to be thrown aside, and trodden under foot.

The illustrious La Fayette, Gen. Lee, Gen. Gates, Gen. Stewart, the inestimable Gen. Montgomery, Gen. Pulaski, Gen. Kosciusko, Baron Steuben, Baron De Kalb, Gen. M'Pherson, Gen. St. Clair, Gen. Hamilton, Robert Morris, the amiable Charles Thompson, Judge Wilson, Baron De Glaubec, Thomas Paine, Thomas Fitzsimons, William Findley, and hundreds of others, eminent during the revolution, were foreigners. Many of them were not excelled for services, and merits, by any native American, whether the dingy blood of a Pocahontas crawled through his veins, or whether he descended in a right line from any of "the Pilgrims" that waged war against the potent Massasoit.

Since the preceding pages were written, I have met with a pamphlet of infinite merit, written by one of the authors of "Salmagundi," from which I quote the following statement with pleasure—as affording an able vindication of the Irish, and a fair sketch of the oppressions and wrongs they have endured. In the name of the nation I thank the writer for this generous effusion, of which the value is greatly enhanced, by the extreme rarity of such liberality towards Ireland or Irishmen on this side of the Atlantic. The work has, moreover, the merit of being an excellent defence of this country against the abuse of British critics. I earnestly recommend it to the perusal of every American who feels for the honour of his country.

"The history of Ireland's unhappy connexion with England, exhibits, from first to last, a detail of the most persevering, galling, grinding, insulting, and systematic oppression, to be found any where ☞ *except among the helots of Sparta.* There is not a national feeling that has not been insulted and trodden under foot; a national right that has not been withheld, until fear forced it from the grasp of England; or a dear, or ancient prejudice, that has not been violated in that abused country. As Christians, the people of Ireland have been denied, under penalties and disqualifications, the exercise of the rites of the Catholic religion, *venerable for its antiquity; admirable for its unity; and consecrated by the belief of some of the best men that ever breathed.* As men they have been deprived of the common rights of British subjects, under the pretext that they were incapable of enjoying them: which pretext had no other foundation than their resistance of oppression, only the more severe by being sanctioned by the laws. ☞ ENGLAND FIRST DENIED THEM THE MEANS OF IMPROVEMENT; ☞ AND

THEN INSULTED THEM WITH THE IMPUTATION OF BARBARISM."*

While on the point of closing this page, I have been furnished with a noble effusion on this subject, from very high authority. Its sterling merits, and its justice towards the nation I have dared to vindicate, will warrant its insertion, and amply compensate the perusal.

* * * * * * * * * * "A dependency of Great Britain, ☞ *Ireland has long languished under oppressions reprobated by humanity, and discountenanced by just policy.* It would argue penury of human feeling, and ignorance of human rights, ☞ *to submit patiently to these oppressions.* ☞ *Centuries have witnessed the struggles of Ireland*—but with only partial success. Rebellions and insurrections have continued with but short intervals of tranquility. Many of the Irish, like the French, are the hereditary foes of Great Britain. ☞ *America has opened her arms to the oppressed of all nations.* No people have availed themselves of the asylum with more alacrity, or in greater numbers than the Irish. ☞ HIGH IS THE MEED OF PRAISE, RICH THE REWARD, WHICH IRISHMEN HAVE MERITED FROM THE GRATITUDE OF AMERICA. AS HEROES AND STATESMEN, THEY HONOUR THEIR ADOPTED COUNTRY."

The above sublime and correct tribute of praise, is extracted from the *Federal Republican*, of June 22, 1812, and forms part of an unanimous address signed to by the *federal* members of the Legislature of Maryland, published in consequence of the Baltimore riots.

I have been highly and very unexpectedly gratified to find another advocate and defender of the Irish nation, since the publication of my former edition. Mr. Coleman, the editor of the *New York Evening Post*, bears this strong testimony in favour of that nation, in his paper of the 7th of March, 1815:—

"*No character is more estimable and respectable than that of the real Irish gentleman: and those who have come to reside among us, are distinguished by the urbanity of their manners and the liberality of their minds.*"

CHAPTER LIX.

Address to the Federalists of the United States.†

GENTLEMEN,

AN attentive perusal of the preceding pages, can, I hope, hardly have failed to place me beyond the suspicion of the despicable vice, flattery—and must give to my commendation at least the merit of sincerity.

* See pamphlet entitled "The United States and England," page 99.

† Written, let it be observed, in Nov. 1814. I could not alter this chapter so as to suit it to existing circumstances. I therefore let it remain as a testimony of the state of the nation last autumn.

After these introductory remarks, I make no scruple to declare my decided conviction, that in private life, I know of no party, in ancient or modern history, more entitled to respect, to esteem, to regard, than the American federalists in general—in all the social relations, of husbands, parents, brothers, children and friends. There are exceptions. But they are as few as apply to any body equally numerous. Political prejudice, or the widest difference of opinions, has never so far obscured my visual ray, as to prevent me from discerning, or my reasoning faculty from acknowledging, this strong, this honourable truth—the more decisive in its nature, from being pronounced by a political opponent.

But, fellow-citizens, after this frank declaration in your praise as to private life, and for private virtue, let me freely discuss your public conduct. Believe me I mean not to offend. I trust I shall not. I address you the words of truth. The crisis forbids the use of ceremony. I hope you will give the subject a serious consideration—and receive with indulgence what emanates from candour and friendship.

I believe there is not to be found, in the widest range of history, another instance of a party so enlightened, so intelligent, so respectable, and in private life so virtuous, yielding themselves up so blindly, so submissively, and with so complete an abandonment of the plainest dictates of reason and common sense, into the hands of leaders so undeserving of their confidence. In and after the days of Washington, you stood on a proud eminence—on high and commanding ground. You were the friends of order and good government. You were tremblingly alive to the honour of your country. You identified it with your own. But it is difficult to find a more lamentable change in the conduct of any body of men than has taken place with your leaders. The mind can hardly conceive a greater contrast than between a genuine Washingtonian federalist of 1790, 1, 2, 3, 4, 5, and 6, and the Bostonian, who, covered with the pretended mantle of Washington federalism, destroys the credit of his own government—and collects the metallic medium of the nation to foster the armies preparing to attack and lay it waste. Never were holy terms so prostituted. Washington from Heaven looks down with indignation at such a vile perversion of the authority of his name.

Let me request your attention to a few facts—and to reflections and queries, resulting from them—

1. Your proceedings and your views are eulogized in Montreal, Quebec, Halifax, London, and Liverpool. The Courier, and the Times, and the Morning Chronicle, and the Ledger, and the London Evening Post, and all the govern-

ment papers, are loud and uniform in your praise.—☞ *This is an awful fact*, and ought to make you pause in your career.

II. ☞ *Your party rises as your country sinks.* ☞ *It sinks as your country rises.* This is another awful fact. It cannot fail to rend the heart of every public spirited man among you. For the love of the God of Peace—by the shade of Washington—by that country which contains all you hold dear, I adjure you to weigh well this sentence—☞ *you sink as your country rises.* Yes, it is indubitably so. It is a terrific and appalling truth. And ☞ *you rise as that despoiled, lacerated, perishing, betrayed country sinks.* "I would rather be a dog and bay the moon," than stand in this odious predicament.

III. Had there been two or three surrenders like General Hull's—had Copenhagenism befallen New York, or Philadelphia, or Baltimore, or Charleston—or had our Constitutions, and United States, and Presidents, and Constellations, been sunk or carried into Halifax, and our Porters, and Decaturs, and Bainbridges, and Perrys, and Hulls, been killed or taken prisoners, your leaders would have been crowned with complete success. They would have been wafted on a spring tide to that power which is "the God of their idolatry." ☞ *Every event that sheds lustre on the arms of America is to them a defeat.* It removes to a distance the prize to which their eyes and efforts are directed. ☞ *But every circumstance that entails disgrace or distress on the country, whether it be bankruptcy, defeat, treachery, or cowardice, is auspicious to their views.*

IV. ☞ *Never has the sun, in his glorious course, beheld so estimable, so respectable, so enlightened a party as you are,* in the frightful situation, in which the ambition of your leaders, and your own tame, thoughtless, inexplicable acquiescence, have placed you.

V. By fulminations from the pulpit—by denunciations from the press—☞ *by a profuse use of British government bills*—by unusual, unnecessary, hostile and oppressive drafts for specie on the New York banks—and by various other unholy, treasonable, and wicked means, the leaders of your party in Boston have reduced the government to temporary bankruptcy—have produced the same effect on our banks—have depreciated the stocks and almost every species of property from 10 to 30 per cent.

VI. These treasonable operations have served the cause of England more effectually, than Lord Wellington could have done with 30,000 of his bravest troops. They have produced incalculable, and to many remediless distress.

VII. ☞ *After having thus treasonably destroyed the credit of the government, one of their strongest accusations against it, is its bankruptcy.**

VIII. A man who ties another neck and heels, and gags him, might, with equal justice, blow out his brains for not singing Yankee-doodle, or dancing a saraband, as those who produce bankruptcy inculpate the bankrupt with his forlorn and desperate circumstances.

IX. There is no other country in the world, where these proceedings would not be punished severely—in many capitally. Their guilt is enormous, clear, and indisputable. They strike at the safety, and even the existence, of society.

X. By the sedition law,† enacted by some of these very men, and their followers, heavy fines, and tedious imprisonment, were awarded against offences incompatibly inferior.

XI. While you submit to leaders, whose career is so iniquitous, were you in private life as pure as archangels, you partake largely of the guilt of those whom you upheld; whose power of destruction depends on your support; and who would sink into insignificance, but for your countenance.

XII. If the pretext, or even the strong belief, on the part of the minority, that a war, or any other measure is unjust, can warrant such a jacobinical, seditious, and treasonable opposition as the present war has experienced, no government can exist. The minority in all countries, uniformly denounce all the measures they have opposed, as unjust, wicked, unholy, or unconstitutional—or all united.

XIII. The most unerring characteristic of a desperate faction, is ☞ *an uniform opposition to all the measures proposed by its opponents, whether good or bad, and* ☞ *without offering substitutes.* The more dangerous the crisis, and the more necessary the measures, the more infallible the criterion.

XIV. This characteristic exactly and most indisputably applies to your leaders. The country is on the brink of perdition. Yet they have opposed and defeated every measure devised for our salvation. They appear determined to deliver us tied hand and foot into the power of the enemy, unless they can seize the reins of government.

* It is impossible for language to convey the contempt and abhorrence that are due to the canting, whining speeches delivered in congress on the bankruptcy of the government by men who were deeply guilty of producing it—whose treasonable efforts have been crowned with success—who have largely contributed to blast the most cheering prospects that heaven ever vouchsafed to accord to any of the human race. The tears thus shed, are exactly typified by those that so plentifully fall from the voracious crocodile over the prey he is going to devour.

† See chapter 3.

XV. You profess to be disciples of Washington. The title is a glorious one. Let us test the practice of your leaders, by the holy maxims of Washington. He raised his voice against—warned you to shun—and pronounced the strongest condemnation upon

1. All obstructions of what kind soever, to the execution of the laws;
2. All combinations to direct, control, or a[illegible] the constituted authorities:
3. All insidious efforts to ☞ *excite hostility between the different sections of the union:*
4. And, in the most emphatical manner, ☞ *all attempts to dissolve the union.*

XVI. But the leaders of your party, particularly in Boston, have

1. Openly obstructed the execution of the laws;
2. Combined to control the constituted authorities:
3. Actually excited as dire hostility against the southern states, in the breasts of those under their influence in the eastern, as exists between France and England; and
4. Been constantly endeavouring, by a series of the most inflammatory and violent publications, to ☞ *prepare the eastern people for a dissolution of the union.*

XVII. In fine, all the steps they take, and their whole course of proceedings, are in direct hostility with the creed, the advice, and the practice of Washington.

XVIII. While you follow such leaders, you may profess to be disciples of Washington, but an impartial world will reject your claim.

XIX. Suppose your leaders at Washington succeed in driving Mr. Madison and the other public functionaries from office, and seize the reins of government themselves, what a melancholy, disgraceful triumph would it not be, to raise your party on the ruins of your form of government?

XX. Such an usurpation could not fail to produce civil war.

XXI. If your party set the example of such atrocious violence, can you persuade yourselves that the "*poisoned chalice*" will not, at no very distant period, be "returned to your own lips?"

XXII. You profess to desire peace. I firmly believe you do. But are divisions, and distractions, and envenomed factions, and threatened insurrections, the seed to sow for a harvest of peace?

XXIII. All the seditious and treasonable measures adopted in Boston and elsewhere, to harass, cripple, and embarrass your government, have, previous to the war, had an

inevitable tendency to enable Great Britain to regulate, controul, and restrict your commerce—and to set at defiance all the attempts to procure redress—and since the war, their tendency has been to prolong its ravages.

XXIV. Are you prepared—can you reconcile yourselves to incur all the risk—to suffer all the ruin that a revolution will infallibly produce, to enable Rufus King, Timothy Pickering, Christopher Gore, Cyrus King, and Daniel Webster, to seize the reins of government, and exile "*to Elba*"—or execute with Cyrus King's celebrated "*halter*" your venerable first magistrate? Suppose they succeed, what will be the advantage to you individually?

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I plead not, fellow citizens, for democracy—I plead not for federalism. Their differences have sunk into utter insignificance. Were the contest between them, I should not have soiled a single sheet of paper. I plead against jacobinism—I plead against faction—I plead against attempts to "overawe and controul the constituted authorities." I plead the cause of order—of government—of civil and religious liberty. I plead for the best constitution the world ever saw—I plead for your own honour as a party, which is in the utmost jeopardy. I plead for your bleeding country, which lies prostrate and defenceless, pierced with a thousand wounds—I plead for your aged parents, for your tender children, for your beloved wives, for your posterity, whose fate depends upon your conduct at this momentous crisis. I plead for your estates which are going to ruin. All, all, loudly implore you to withdraw your support from those who are leagued for their destruction, and who make you instruments to accomplish their unholy purposes. You are on the verge of a gaping vortex, ready to swallow up yourselves and your devoted country. To advance a single step may be inevitable perdition. To the right about. It is the path to honour, to safety, to glory. Aid in extricating your country from danger. And then if you select calm, and dispassionate, and moderate candidates for public office, there can be no doubt of your success. I am firmly persuaded that nothing but the intemperate and unholy violence of your leaders has prevented you from having that share of influence in the councils of the nation to which your wealth, your numbers, your talents, and your virtues, give you so fair a claim.

The constitution may be imperfect. Every thing human partakes of human infirmity and human error. It has provided a proper mode of amendment. As soon as peace is restored, and the fermentation of public passions has sub-

sided, let the real or supposed defects be brought fairly forward and submitted to the legislatures, or to a convention, as may be judged proper. But while the vessel of state is on rocks and quicksands, let us not madly spend the time, which ought to be devoted to secure her and our salvation, in the absurd and ill timed attempt to amend—in other words to destroy—the charter party under which she sails.

May the Almighty Disposer of events inflame your hearts—enlighten your understanding—and direct you to the proper course to steer at this momentous crisis! And may he extend to our common country that gracious blessing which brought her safely through one revolution, without entailing on us the frightful curses inseparable from another!

POSTSCRIPT.

January 9, 1815.

As the apprehensions on the subject of the dissolution of the union, which are repeatedly expressed in this book, and which have led to its publication, are treated by many as chimerical—and as the result of the Hartford convention, just published, appears to countenance the idea that the danger is overrated, the writer, in justification of his fears, simply states, that even admitting that the leading men to the eastward do not contemplate a dissolution of the union, it does not by any means follow that we are safe from such an event, while the public passions are so constantly excited, and kept in such a high state of fermentation. It is an easy process to raise commotions, and provoke seditions. But to allay them is always arduous—often impossible. Ten men may create an insurrection—which one hundred, of equal talents and influence, may be utterly unable to suppress. The weapon of popular discontent, easily wielded at the outset, becomes, after it has arrived at maturity, too potent for the feeble grasp of the agents by whom it has been called into existence. It hurls them and those against whom it was first employed, into the same profound abyss of misery and destruction. Whoever requires illustration of this theory, has only to open any page of the history of France from the era of the national convention till the commencement of the reign of Bonaparte. If he be not convinced by the perusal, "he would not be convinced, though one were to rise from the dead."

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APPENDIX.

THE favourable reception this work has experienced, induces me to make a few additions to it, which I respectfully submit to my fellow-citizens.

They embrace topics mostly untouched, or at least slightly handled in the original work. Some of them are of vital importance to the dearest interests of the nation.

In this portion of the publication, as well as in what precedes it, I have endeavoured to divest myself of any undue bias. I have pursued truth undeviatingly, and regardless of consequences. How far I have succeeded, the reader must judge.

I request a candid and fair examination of the various subjects—and that my errors, whatever they be, may be ascribed to any other cause than an intention to mislead, of which I feel myself utterly incapable.

M. C.

March 31, 1815.

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CHAPTER LX.

Orders in Council. Restrictive system. Impolicy of the British ministry. Abstract from the examinations before the House of Commons. Ruinous effects of the policy of Great Britain on the vital interests of that nation.

THAT the violation of the rights of the United States by the orders in council, required to be resisted by our government, will not be denied, by the most strenuous opposer of the administration. And that every peaceable means of obtaining redress, ought to be fully tried before a recourse to war, will be admitted.

Appeals to the honour and justice of the British government had been repeatedly made. Our ministers had presented various remonstrances on the subject. They had been in vain. No redress had been vouchsafed. Our injuries had increased in violence. Other means were necessary. Perhaps no nation but our own, whose policy is eminently pacific, would have hesitated on the subject. War, horrible, destructive war, would early have been the resort. But with a most laudable regard for human life, and human happiness—with a view to prevent the carnage, the demoralization of war, our government had recourse to various pacific measures to enforce redress.

Great Britain is a manufacturing and commercial nation. Upon her manufactures depends in a great degree her commerce. Both are indispensible not merely towards her prosperity, but her security, her very existence. We asked but simple justice. It was believed, and on the strongest ground of reason and policy, that it could be rendered her interest to cease her gross violations of our rights. The effort was most meritorious. It is worthy of future imitation.

The American market was far the best in the world for Great Britain. Our imports from that country had risen to the enormous sum of above 10,000,000 of dollars* in a year. It had been steadily improving. The punctuality of our im-

* By a report of Alexander Hamilton, Esq. secretary of the treasury, dated December 23, 1793, it appears that at this very early period, in the infancy of our government, we imported from the British dominions the preceding year . . . . . $ 15,285,428
Whereas our exports were only 9,363,416

Leaving in favour of Great Britain a balance of . . $ 5,922,012

porters had excelled that of any of the other customers of England. A considerable part of the trade had for some time been transacted for ready money.

As a large portion of the continent of Europe had been as it were hermetically sealed to British trade, it was rationally presumed, that if the alternative were held out to Great Britain, either to cease her violation of our rights, or to forfeit our trade, she would certainly select the former. Fatuity of the blindest character alone could have hesitated in the choice.

I have strong doubts whether any administration of any age, ever displayed a higher degree of outrageous folly and injury to the vital interests of its own country. Every motive of prudence and policy dictated to England, as an imperious and paramount duty, to treat the United States with kindness, liberality, and attention. Every fair means ought to have been employed to conciliate our citizens, and to induce them to bury the animosities of the revolution in utter oblivion. Such a liberal course of proceeding would have been productive of immense advantages to her dearest interests.

The trade of this country was the main buttress that propped up the tottering fabric of British paper credit, and furnished means to replenish the veins of the body commercial and financial, which had been so ruinously phlebotomized by the lancet of subsidies to foreign powers, and suffered so much by the starvation of the continental system.

It requires but a cursory examination of the whole tenor of the conduct of England, towards this country, to be satisfied that it has been steadily and uniformly the reverse of what a wise statesman would have adopted. The predatory and lawless orders in council, so clandestinely issued against American commerce, "*preying upon the unprotected property of a friendly power*,"*—the wanton, cruel, barbarous and unprecedented seizures of our citizens on the high seas—the countenanced, the flagitious forgery of our ships' papers, advertised in their Gazettes, and defended in parliament—the blockade of our ports, and capture of

Our exports to the French dominions for the same year were	$ 4,698,735
And the imports only	2,088,348
Leaving a balance in favour of the United States of	2,619,387

* See Boston memorial, signed by James Lloyd, jun. David Green, Arnold Welles, David Sears, John Coffin Jones, George Cabot, and Thomas H. Perkins, for and in behalf of the whole body of the mercantile citizens of that town.

vessels bound in and out—the shameful violations of our rights of sovereignty within the limits declared sacred by the law of nations—the murder of Pearce in one of our harbours—and the total neglect of all our applications for redress of these grievances,† were as utterly impolitic as they were unjust and flagitious. It is impossible to conceive of a course of conduct more completely marked by an utter destitution of reason, common sense, justice, regard to the law of nations, or a sound and enlarged view of the true and vital interests of the British nation. It requires no sagacity to foresee the sentence history will pronounce on this miserable, this harrassing system. Unqualified reprobation awaits it, as well as its authors and abettors. It was calculated to sour and alienate the friends of England, and to increase the hostility of her enemies—to treble the influence of the latter, and proportionably to diminish that of the former.

The conduct of France had been in many points so utterly indefensible, so great a violation of our rights, and of the plainest dictates of justice, that had Great Britain conducted towards us with even a moderate share of decency or propriety, she might have readily arrayed this nation in hostility against her grand enemy seven years ago. The sole reason that prevented an earlier declaration of war against one or the other of the belligerents was, that it would have been madness to attack both, and each had so atrociously outraged and injured us, that, in the strong, clear, and just language of Governor Griswold, "such had been the character of both, that *no circumstance could justify a preference to either*." This important and irresistible declaration was, as I have already stated, made to the legislature of Connecticut, on the 12th of May, 1812.

The annals of commerce do not, I believe, furnish an instance of one nation enjoying so lucrative a trade with another, as England maintained with this country, as well for extent, as for immensity of advantage. We furnished her with the most valuable raw materials for her manufactures, and received in return for these materials the manufactured articles, wrought up often at 10, 20, 30 or 40 fold advance of value. It is hardly possible to conceive a more gainful commerce. A Sully, or a Colbert, or a Ximenes, or a Chatham, would have cherished such a trade as "*the apple of his eye*"—and shunned with horror every thing in the least calculated to impair or destroy it.

† Redress of grievances was not only never afforded—but in almost every instance, the officers who perpetrated the greatest outrages, were absolutely promoted.

For every valuable purpose, we were literally colonies of Great Britain. That is to say, she derived from us the advantages that any nation has ever derived from colonies, without the expense of fleets or armies for our protection. And so strong has been and is the partiality of large proportions of our citizens for English habits, and English manners, and English fashions; and such is the devotion of a large number of our presses and our literary men, and our pulpits, to the defence and justification of England, that it required but little care to have maintained her influence here wholly unimpaired. If, notwithstanding such an irritating, and insulting, and predatory system as she pursued, she still retained so many warm, zealous, and influential partizans here, what might she not have done, had she pursued a system of kindness and conciliation!

Her ministers abandoned the noble, lawful, immense, and rich trade with this country, for a miserable trade of smuggling, not one-tenth in amount or value, and resting upon the pestiferous and hateful basis of forgery and perjury! Alas! that the affairs of mighty nations should fall into such hands!

I cannot resist the temptation of enriching this page—of embalming it with the glowing and sublime eloquence of Henry Brougham, Esqr. M. P. on this unexhaustible topic.

"Good God! the incurable perverseness of human folly! always striving after things that are beyond their reach, of doubtful worth, and discreditable pursuit, and neglecting objects of immense value, because, in addition to their own importance, they have one recommendation which would make meaner things desirable—that they can be easily obtained and honestly as well as justly enjoyed! It is this miserable, shifting, doubtful, hateful traffic, that we prefer, to *the sure, regular, increasing honest gains of American commerce;* to a trade which is placed beyond the enemy's reach, which besides encircling ourselves in peace and honor, only benefits those who are our natural friends, over whom he has no controul," * * * "which supports at once all that remains of liberty beyond the seas, and gives life and vigour to its main pillar within the realm, the manufactures and commerce of England."*

"I have been drawn aside from the course of my statement respecting the importance of the commerce which we are sacrificing to those mere whimsies, I can call them nothing else, respecting our abstract rights. That commerce is the whole American market, *a branch of trade in comparison of which, whether you regard its extent, its certainty, or its progressive increase, every other sinks into insignificance.* It is a market which in ordinary times may take off about *thirteen millions worth of our manufactures;* and† in steadiness and regularity it is unrivaled.‡

"The returns indeed are as sure, and the bad debts as few, as they used to be even in the trade to Holland. These returns are also grown much more speedy. Of this you have ample proof before you, from the witnesses who have been examined, who have all said that the payment was now as quick as in any other line—and that the Americans often preferred making ready money bargains for sake of the discount."§

* Speech in parliament, June 16, 1812, Philadelphia edition, page 39.
† Nearly sixty millions of dollars.
‡ Idem, page 34. § Idem, page 35.

To return to the course pursued here. The intercourse between England and this country was prohibited by an act passed on the 1st of March, 1809, commonly called the non-intercourse law, for the vital clauses of which I refer the reader to page 165. A repeal, or modification of the orders in council, so as to cease violating the rights of the United States, was to authorise the president to restore the intercourse.

This mild and excellent mode of procuring redress, which entitles its authors to the most unqualified approbation of their fellow-citizens and of posterity—and to which history will do the justice that ungrateful cotemporaries have denied, was treated with ridicule and contempt in this country, as futile, and imbecile, and utterly ineffectual in its operation upon England.

With a blindness, and folly, and madness, of which there are not many parallels, the British ministry persevered in their unjust system towards this country, notwithstanding its destructive effects on the vital interests of their own. Their most valuable and important manufactures were paralized—their manufacturers reduced to beggary and ruin—a regular trade amounting to 50,000,000 of dollars annually, cut off—and the sources dried up, from whence they principally derived the means of subsidizing foreign powers to fight their battles.

In vain did the wisest and best of the people of England enter their most solemn protest against the orders in council—that miserable system, on which egregious folly and rampant injustice were stamped in the most legible characters. In vain did the starving workmen—the impoverished manufacturers implore the administration for relief. They were deaf as the adder, whose ears are closed to the voice of the charmer, charm he never so wisely.

At length, in the spring of 1812, the public sufferings had so far increased—and the clamour for redress was so universal, that the British ministry were impetuously driven to submit to institute an inquiry in parliament into the operation and effects of the orders in council. This measure was adopted with an ill-grace, and not until the most serious and alarming riots and insurrections had occurred in several parts of England.

The examination was begun on the 29th of April, 1812, and continued till the 18th of the following June. Witnesses were examined from most parts of England. The evidence uniformly and undeviatingly concurred to prove how transcendently important was the American trade to the manufacturers of Great Britain—how awfully calamitous the

cessation of that trade had been—and the miserable policy of an adherence to the orders in council. All this was apparent and undeniable from the very first day of the examination, could there have been any previous doubt on the subject.

The minutes of the examination, as published by order of parliament, form a ponderous folio volume of nearly 700 pages, and exhibit a frightful picture of the results of the sinister and absurd policy which dictated the orders in council.

To the United States this is a subject of immense importance. Our form of government—our dearest interests—the habits, and inclinations, and manners of our people, lead us to pursue a pacific policy. And if there be an effectual instrument whereby, without war, we can extort justice from nations which violate our rights, or offer us outrage, it affords additional and invaluable security for the permanence of the blessed state of peace. While we can make it pre-eminently the interest of those nations with which we have intercourse, to reciprocate kindness and justice, we may reasonably calculate upon their pursuing that desirable course.

To evince, therefore, the efficacy of the so-much-abused restrictive system, I submit to the reader a few extracts from the evidence given before the house of commons, of its effects on the dearest interests of Great Britain.

April 30, 1812.

Mr. THOMAS POTTS, merchant, of *Birmingham*.—From 20,000 to 25,000 men in Birmingham, who ☞ *have now only half work. General state of the town extremely depressed, and the distress universal. Manufacturers have been keeping their men employed in creating stock nearly to the extent of their capital, and many of them are in consequence in extreme difficulties.* If no favourable change takes place, the manufacturers will be obliged within two months to dismiss two-thirds of their hands, and some of them the whole. Large quantities of Birmingham goods have been lying in Liverpool, waiting for shipment for 12 to 15 months past. ☞ *The American market, a steady and increasing one, and the payments, which have been regularly improving, now very good.* Since the prohibition in America, goods have been sent to Canada: but they have been sold there for less than their cost in the manufacturing towns. Has tried the South American market with very indifferent success; and has concluded never to make another shipment to that country, as he believes those shipments have not yielded 25 per cent. Manufactures in America have made an alarming progress within two years; but thinks that if the intercourse was speedily thrown open, they would be effectually checked. *Would ship his goods to America the moment the orders in council were rescinded,* having positive and specific instructions from his correspondents to that effect. Knows houses in Birmingham, who have goods ready to ship to America, which cost them 70,000*l.* 50,000*l.* 45,000*l.* 25,000*l.* 20,000*l.* and workmen have emigrated from Birmingham to America. *Has no doubt that if the American trade was opened, the distress in Birmingham would instantly cease.*

Mr. WILLIAM BLAKEWAY, Lamp Manufacturer, of *Birmingham*.—Goods principally sent to America. Trade so much diminished that he would have

stopped his business altogether, had it not been for regard for his workmen, by whom he has been gaining money for twenty years. Stock so much accumulated that nearly the whole of his capital is absorbed by it. *Unless the American market is opened, cannot keep on his hands as at present.* Has hitherto borne the sufferings of his workmen himself, but will be compelled to discharge them, however reluctant to do so. *Has sought, but not found relief in any other market.* Recollects the scarcity in 1800 and 1801; but the distress was not at all equal to the present, because there was plenty of work.

Mr. JAMES BYLAND, of Birmingham, manufacturer of plated coach harness and saddle furniture.—☞ *Principal part of his manufacture exported to the United States.* Previous to 1808 the export was very considerable and increasing, the returns prompt, and payment sure. Workmen who formerly earned 30 to 40*s.* per week, now get about 20*s.* and those who used to get 20*s.* now earn about 11 or 12*s.* *Shelves loaded with stock, and the greater part of his capital absorbed in it.* Two-thirds of the workmen employed in this business must be discharged, if no favourable change takes place. ☞ *Since the falling off of the American market, has opened a house in London, but has found so many persons flocking to the same market that he has been able to carry it on with very little success.* ☞ *Previous to the orders in council, the trade was in a very flourishing state;* they were full of orders, and their men full of work. Has received no relief from the South American market; and ☞ *knows no market equal to that of the United States, for the sale of this manufacture.*

May 4, 1812.

Mr. JEREMIAH RIDOUT, merchant, of Birmingham.—Has goods to the value of 20,000*l.* prepared for the American market, which *he would instantly ship if the orders in council were removed, being so advised by his partner in America.* The workmen very much distressed: "I have seen people shed tears; I have confined myself behind the door for fear of seeing those people, lest they should importune me to give them orders; they have told me they did not know what to do. One man said, what can I do? if I go to the magistrate he will tell me to go for a soldier; I am a married man, and God knows what I must do unless I steal, and then I shall go to Botany Bay." I do not like to hear such words, I cannot bear it.

Mr. GEORGE ROOM, Japanner, of Birmingham, has manufactured principally for America, which is *the best market he ever knew, after trying every one.* Workmen in general have not more than half work. Has tried the home trade; but the competition is so great and prices so much reduced that it was not worth going after. Has found very little relief from the trade to Sicily and Portugal, which is the only foreign European trade they have had, and which *does not bear any thing like a comparison to the American trade.* From 600 to 1000 hands employed in this business in Birmingham alone; and there are great manufactories in Bilston and Wolverhampton.

Mr. ROBERT FIDDIAN, manufacturer of brass candlesticks, &c. at Birmingham, chiefly for home consumption. Trade much diminished within the last 12 months, and earnings of workmen reduced one fourth. Had a conversation with some of his men on the subject of dismission; they entreated him not to dismiss them, saying, "you know we cannot get employment elsewhere," and begged that he would apportion the work among them, and let each bear a share of the burden. Stock very much increasing, and will be obliged to dismiss a number of his men, unless an alteration takes place speedily. ☞ *Has no doubt that his trade would be put into its former profitable situation, if the American trade was again opened.*

Mr. JOSEPH WEBSTER, wire manufacturer, of Birmingham. ☞ *Half his manufacture for the American market,* and half for the home trade. The demand very much diminished, so that although his manufacture is reduced, his stock is much increased. ☞ *Has orders from America which would exhaust all his great stock on hand, if the orders in council were repealed.* If no

favourable change takes place, he shall feel himself compelled to discharge a great number of his men.

May 4, 1812.

Mr. JOSHUA SCHOLFIELD, American merchant, Birmingham.—Trade first began to fall off in 1808. In 1809, rather better, but still very limited. In 1810, very large shipments for one season. The goods for 1811 now lying in Liverpool. *Has orders from America to ship as soon as the orders in council are removed, as soon as the trade is opened.* Has had frequent advices from his agent resident in America, that manufactures are very fast increasing there, and has reason to know it from particular circumstances. One particular article now in great demand is card wire, for the manufacture of cotton and wool cards, which is wanted for their machinery. Has had the article of nails countermanded on the ground that they can be manufactured cheaper in America than they can be imported. *Has had many painful opportunities of witnessing the distress which prevails among the lower orders of the people in Birmingham;* ☞ *believes it to be extreme. Has a warehouse in Wolverhampton: the lower orders in quite as great distress there;* their goods may be bought at any price; there are many small manufacturers there, who are selling some of their stock at, he believes, a lower rate than it cost them. *Attributes the distresses of the trade and manufactures principally to the orders in council, believing them to be the cause of the non-intercourse with America. Has the most painful forebodings that the continuance of the restrictions upon the American trade will give great encouragement to the increase of manufactures in America.*

Mr. JOHN BAILEY, merchant, of Sheffield.—The manufactures of Sheffield, for the supply of the market of the United States, employ 6,000 persons, besides others dependent on that trade. ☞ *The export to America is about one-third of the whole manufactures of Sheffield.* About one-tenth of the usual spring shipment was made in 1811, and none since. Stock of goods has been increasing in Sheffield to a considerable extent; but *there are orders for shipment to America, immediately on the rescinding of the orders in council.* Information from a large manufacturer, that ☞ *he now pays one-sixth part of the wages which he did, when the American trade was open;* and that one-half of what he has manufactured for the last fifteen months, is now dead stock. Another of the principal manufacturers informed him, that *he now employs only half of his usual number of men, whom he employs only four days in a week;* that he retains them from a principle of humanity, as they have grown old in his service, and that he still holds in stock all his goods made in the last eighteen months. Believes this to be a fair specimen of the general state of manufactures in Sheffield. His orders for shipment, on the removal of the orders in council, amount to the whole twelve months' shipments. *The amount of Sheffield goods ready for shipment to America 400,000l. and orders on hand to the same amount.* Poor rates of Sheffield, year ending 1807, 11,000l.; now 18,000l. Workmen's wages not reduced, but they are now only employed about three days in the week. Every man fully employed before the loss of the American trade. ☞ *Lower classes never so much distressed as at present.* Some articles which were formerly exported from Sheffield, are now manufactured in America.

May 13, 1812.

Mr. WILLIAM MIDGLEY, woollen manufacturer, of H[illegible]le, Lancashire.—The parish contains about 36,000 inhabitants, of which about one half are employed in this manufacture. He formerly employed about 600 hands, now about 400. Began to turn off his hands when his stocks became very large, about six months ago. Stock is still increasing, and larger than it was before: and the home trade has fallen off very much indeed. Has in a considerable degree exhausted his capital in trade, "*and if there be not an "opening, it is impossible to keep on my work people; and I am distressed about "the poor people, for they have not, many of them, half victuals now.*" If the market continues as it is now, must turn off 200 of his hands, and if they are turned off, does not see where they can get work any where else. Has lived

in Rochdale most of his life time, and been in business thirty years, but ☞ *never knew the distress so great as at present.* "The distress is to be seen "in the people's countenances, every week getting thinner and looking worse; "about what had a little money, have had to take to it, and they are almost run "out of it; they have spent what little they had to buy bread." About two-fifths of this manufacture for the United States of America, and some for foreign Europe. Has very large orders for America, which should have gone off more than 12 months ago. Has found that market, a steady, sure, and increasing one. Workmen's wages reduced. Price of oatmeal twelve months ago 2d. per pound, now 5d. If the trade to America was opened, there would be fair employment for the manufacturers of Rochdale.

Mr. THOMAS SHORT, manufacturer of hosiery, at Hinckley, in Leicestershire.—The total number of persons employed in the manufacture at Hinckley, and the adjoining villages, nearly 3,000. About one-third to one-fourth of the manufacture is for the American market, and the value about 30,000*l.* per annum. In good times employs upwards of 200 hands, now employs about two-thirds of the number. ☞ *In consequence of the loss of the American market, the manufacturers generally state they must turn off one-half of their hands, if the demand is not greater than at present.* Twelve to fourteen hundred persons now unemployed. The home trade is much injured by the competition of persons formerly in the foreign trade: and it now affords no profit.

May 14, 1812.

Mr. WILLIAM THOMPSON, woollen manufacturer, of Rawden, near Leeds. Has been in business 30 years. In 1810 employed 630 hands, and manufactured 6,000 pieces of goods for the American market. *In the last year made 4,000 pieces, and has dismissed 200 hands.* His stock of goods worth upwards of 20,000*l.* being much greater than at any former period. ☞ *The remaining hands have not more than one-third work.* ☞ *In good times his men earned from 15s to 30s. a week, and now only one-third. Never knew the poor in so distressed a state before; not even when corn was dearer in 1809; they had plenty of work at that time.* "*The distress of the workmen is very evident by their countenance, and by the raggedness of their dress. They are evidently in a worse situation than I ever knew them before.*" If a favourable change does not take place, must dismiss the whole of his hands, as the heavy stock of goods renders it out of his power to continue them. Made a small shipment to South America about twelve months ago, but has not yet received any returns; and will not ship farther at present. Made a shipment to Canada, value 30,000*l.* about fourteen months ago, for which he has not yet received one-sixth; and those goods that did sell were to a considerable loss, say from 25 to 30 per cent. ☞ *If there was an open trade to America, all the distresses would be very shortly removed:* activity would be resumed, and the countenances of the poor would change very fast; if that were once effected, it would give a general spring to our neighbourhood. *Has orders from America for the whole of his goods, provided the orders in council were rescinded.*

Mr. CHRISTOPHER LAWSON, woollen merchant, of Leeds. In good times exported to America, to the value of 80,000*l.* annually. Present stock of goods 40,000*l.* Made a shipment to Amelia Island in 1811, under the idea that it might get into America, but it remains there at present. Conceives all the merchants trading to America are in the same state. *The common calculation is, that Yorkshire goods are exported to America, to the amount of two millions annually.* Great complaints have been made of the home market for the last six months. ☞ *Has orders for goods to be shipped to America, on the repeal of the orders in council.*

May 15, 1812.

Mr. DAVID SHEARD, blanket and flushing manufacturer, of the parish of Dewsbury. In good times employed about 500 hands: 100 of them are now quite out of employ, and the remainder have one-third, or one-fourth

work. ☞ *The average wages of men, women, and children, in good times were 11s a week, and are now 3s 9d.* The manufacturers have given over accumulating stock: they do not wish to run into debt, and the money they had is all made up into goods. Weekly wages paid in the hamlet, in good times, used to be 469*l.* now 294*l.* Thinks the home trade as good as it was. Trade began to fall off in the beginning of 1811: and *among the lower orders of people there is very great distress indeed.* If favourable circumstances do not turn up, will be obliged to turn off half of the 700 hands he now employs. Had a good trade before the intercourse with America was stopped.

Mr. FRANCIS PLATT, merchant and woollen manufacturer, of Saddleworth. The trade has fallen off very considerably since 1810, owing to the want of American trade. His own stock of goods larger than it ever was before, being nearly 30,000*l.* The district of Saddleworth contains a population of nearly 12,000 persons, most of whom are engaged in the woollen business, and they do not now get half the work they used to have. His capital absorbed in goods, and if there is not a market soon, must discharge his men in toto; which is the case with manufacturers in general in that district. ☞ *In 40 or 50 years he has never known the distress equal to the present.*—Great numbers of the people never taste animal food at all: their principal food is oatmeal boiled in water; and sometimes potatoes for dinner. Was informed, by a very honest man, *that he, his wife, and all his children had to go to bed, and had not even a morsel of that oatmeal and water to put into their mouths. Was also informed by another that he had got some little oatmeal, and boiled it in water; that he had to wet it in water instead of milk, or any other liquid, with his food.* The people have been very peaceable in this parish; and is certain they will remain so, provided they could get employment, or any thing near full employment: they have no disposition at all to riot. Has inquired in some instances whether the poor have received parish relief; but believes that in the principal part of the manufacturing districts, the poor would nearly starve, probably not to death, but pretty close to it, before they went to the parish; for this reason—they have not been accustomed to it, and it is a kind of disgrace or something of that kind, and they will not go to it if they can get half work and half wages: they will take every means in their power to keep off the parish. Oatmeal is 3 1-2d to 4d the pound, or double the usual price. Potatoes are about the same proportion: never knew them any thing like so high as they are at present. Has no doubt that if goods could be shipped to America, there would be work. The poor are not well clothed.

May 20, 1812.

Mr. JOHN HOFFMAN, churchwarden of the parish of Spital Fields.—The looms employed in the manufacture of Spital Fields, about 17,000, to 20,000; and about 5,000 of them are in the parish of Spital Fields, *where at least one-half of the weavers are out of employment, and the lower orders in a most deplorable state.* ☞ *More than one instance has occurred, where they had died literally for want.* Soup distributed is about 3,000 to 4,000 quarts a day. Has dismissed a considerable number of his hands, who were employed in the silk trade. The light silks of Spital Fields sell in America; of other sorts the French are cheaper than ours. If the American trade was open, there would be an opportunity of sending a considerable quantity of goods there; has in the course of some years, manufactured goods for the American market, principally of the slight quality. *Within those two years there has been no trade to America: and therefore he was obliged to turn off his hands employed for that particular trade.* If the trade was opened again, has no hesitation in saying those very articles would find sale there; and he would take back the hands he had dismissed, which he believes is the case with others in the same line as himself. In October last he purchased potatoes for the workhouse at 3*l.* 10*s.* per ton; within the last six weeks they have been selling in Spital Fields' market, at 12*l.* 13*l.* and 14*l.* a ton. *Persons who have died for want, have applied for, and obtained relief: but they were too far gone before they made application; has uniformly found that the*

industrious poor will never apply for relief till the very last extremity. Believes that more than a fifth of the silk manufactured in Spital Fields went to America, and that more than one-third of his own manufacture, for seven years, was for the American market. The want of an adequate supply of raw silk, has been one great cause of the want of employ, and consequent distress of the manufacturers.

May 25, 1812.

Mr. SHAKSPEARE PHILLIPS, merchant, of Manchester.—was examined by the house four years ago upon the orders in council. Is an exporter of manufactured goods to the United States of America, when the trade is open. Has a great stock of goods on hand, which is the case of the manufacturers in general. ☞ *Has orders to a very large amount to be shipped in the event of the orders in council being rescinded.* Has no doubt that orders of this kind, which are now in Manchester, would, if executed, greatly relieve the distress of that place. ☞ *The state of the workmen in Manchester and the neighbourhood is very deplorable. They are deficient in work, and are working at extremely low wages.* If the American trade was open, would not fear the competition of the American manufacturers in the market, as he conceives they are only forced into that measure. Several adventures, which he has made to South America, have left a considerable loss. Cannot state the proportion which the American market bears to the general manufactory of Manchester and its neighbourhood; but from his general knowledge of its vast influence upon the manufacture in general, is convinced that the exports annually amount to an enormous sum. ☞ *Has no doubt that if the American market was freely open, there would be full employment for the labouring manufacturers of Manchester.* When the trade with America from France and this country were both open, did not experience the least competition in the cotton manufactories on the part of France, and has not the least apprehension of any. The present duty on raw cotton in France being about 3*s.* a pound, amounts to a prohibition; and any country imposing such a duty cannot seriously intend to establish any great manufacture.

I trust there is here superabundant testimony of the transcendent folly and madness, as well as of the flagrant injustice of the system pursued by the British ministry, which inflicted so much misery and wretchedness on that interesting and valuable class of subjects, the manufacturers. The testimony is equally strong against the folly of our own citizens, who, by rendering nugatory the restrictive system, so fatally involved in the horrors of a wasting war, two great nations whom ten thousand motives arising from mutual interests—common descent—congenial manners—and sameness of language—ought to have impelled to cultivate the strictest ties of friendship.

During the progress of these examinations, on the 21st of May, the official repeal of the French decrees was communicated by Mr. Russel, the American minister, to the court of St. James. But notwithstanding the solemn pledge of the British ministry to proceed *pari passu* with the French government, in the business of repeal, there was no step taken respecting the orders in council, till the 23d of June, that is, for nearly five weeks. Nothing was done till after the whole examination was completed, and until an address was moved in the house of commons, for the repeal, by Mr.

Brougham, on the 17th of June, grounded on the result of the examinations, which was withdrawn by the mover on a pledge by the ministers that the orders would be repealed.

As a palliation for this delay, it is stated that the assassination of Mr. Percival, the British primier, on the 11th of May, distracted the attention of the ministry, and prevented the redemption of the pledge. But this palliation will not bear a moment's reflexion. The parliamentary examination was predicated on the injury the British trade suffered—and had not the slightest regard to any other consideration. And as I have stated, the revocation of the orders in council was not attempted till that examination was finished. Nearly five weeks [thirty-three days] had elapsed from the notification of the French repeal, and forty-three days from the death of Mr. Percival. And no man can pretend that one or two weeks would not have been abundantly sufficient.

To prove the charge I have adduced against the British ministry of gross impolicy, as well as injustice, in their treatment of this country, which led to the wasting war so injurious to both nations, I submit to the reader, part of a speech delivered in the British house of commons, by Mr. Whitbread, on the 13th of February, 1812, about four months previous to the declaration of hostilities, respecting the diplomatic intercourse between the two countries. On Mr. Whitbread's character I need not enlarge. He is well known to stand eminent for those qualities of head and heart that dignify and adorn human nature:—

"Of Mr. Pinkney he need say little: he was a man of sound sense and judgment, of an able and acute mind, and of the highest reputation. He was a man who had conducted himself during his residence in this country, in a manner most honourable to himself, and likely to benefit both nations. At all times, taking the most impartial view of the different interests concerned, his conduct, though firm, had been most conciliatory. Without losing sight of the claims of his country, with which he was intrusted, he had at all times approached the ministers with whom he was in treaty, with respect, attention, and deference. Firm to his purpose, and able to elucidate the subjects under discussion, he had never failed in time, punctuality, or mode of procedure, in his mission. *He would he could say as much for those with whom Mr. Pinkney had intercourse.* But it was not so: and it was impossible to say, that gentleman had been treated with the proper and punctilious ceremony he merited by the marquis Wellesley. At the period when this correspondence commenced, a great soreness prevailed in America, on account of the rupture with Mr. Jackson. ☞ *The feelings of that country were in a state of extreme irritation;* and this topic was the subject of Mr. Pinkney's first letter to the noble marquis. One would have thought at such a time that a minister would have felt that no want of decorum or attention on his part, should be superadded to augment the unpleasant feeling already too prevalent; but it so happened, that to this very letter of Mr. Pinkney, of the 2d January, on the subject of another minister's being appointed in the room of Mr. Jackson, no answer was returned *until the 14th of March.* Upwards of two months of precious time were wasted, during which Mr. Pinkney, aware that some time might be necessary, waited with the most patient respect and decorum.

"On the 14th of February, the American minister again wrote to the British secretary, on the subject of our blockade, one of the most important in discussal, and in all its bearings, between the two countries. To this no answer was returned till March 2. Again, on the 30th of April, Mr. Pinkney addressed a letter to lord Wellesley, relative to the Berlin and Milan decrees, which were considered as the chief source of all existing differences, and therefore merited the most earnest and immediate attention; but to this letter no answer was ever returned.

"On the 3d of May following, another letter was sent to our foreign secretary, *complaining of the forging of ships' papers, carried on in London, by which British ships and property were made to appear as American.* This traffic was alleged to be openly and notoriously carried on: and it was not possible to conceive one more infamous to the nation where practised, or injurious to the country against which it was directed. Yet ☞ *this charge of fraud against Britain, this injustice and injury to America, was passed over in entire silence, and no answer whatever to the letter was returned.*

"On the 23d of June, Mr. Pinkney again wrote, referring to his letter of the 30th April, on the subject of the Berlin and Milan decrees, and requesting an answer; but no answer was returned. On the 7th of July he wrote again relative to the appointment of a minister in the room of Mr. Jackson, (his first subject on the 2d January) and even at this distance of time *received no official answer*, but merely a verbal assurance or private note, that a minister would immediately be sent out. On the 8th of August, Mr. Pinkney once more wrote, referring to his letters of the 23d June and 30th April; but could obtain no answer.

"On the 21st August, he again by letter pressed the subject of blockade; but could obtain no answer. On the 25th of the same month, he again wrote to state the revocation of the Berlin and Milan decrees; and to this communication our minister at length condescended to send a reply. The next part of the correspondence was another letter from Mr. Pinkney, relative to a misapprehension of Sir James Saumarez, on the nature of the blockade at Elsineur, and on the impressing of certain seamen from an American ship. To the former subject an answer was returned; *but of the latter no notice was taken.* He had indeed been much surprised at the whole course of this correspondence; but at this particular period his astonishment was greater than ever. *That a subject so keenly felt by America, as the impressing of her citizens, should be entirely passed over in silence, was beyond all former neglect and inattention.*

"All the world knew that this point was the one on which the greatest difficulty existed in negociating an amicable adjustment between the two countries, and that *our conduct towards American seamen stood more in the way of conciliation than any other matter whatever.* Surely then such an opportunity ought not to have been neglected; surely it was the duty of the British minister to show, by his speedy attention to the subject, that he was as anxious to evince the spirit of conciliation as to profess it; and that, knowing how fatal to the interest of this country a rupture with America would be, he would have eagerly embraced the opening presenting itself, to demonstrate our amicable intentions, and remove one of the sorest grievances complained of. But, no! reluctantly and coldly was the answer on this subject wrung forth—not from the noble secretary, not by letter from him, but practically by the discharge of these seamen, by Sir William Scott, in the court of admiralty, thereby acknowledging and declaring the right and justice of the claim urged on the part of America. This was the conciliation of the noble secretary, that he permitted the sentence of a court of justice to give a practical answer to a foreign minister, whom he would not take the trouble of putting pen to paper to satisfy on so interesting a point.

"On the 21st of September, Mr. Pinkney found it necessary again to address the British government, and referring to his letters of the 30th April, 23d June, and 8th August, on the subject of the Berlin and Milan decrees, he urged an immediate answer, as his government had long been in expecta-

tion of a communication on that head. Again, on the 8th and 10th December, he wrote: and ☞ *with these letters concluded his correspondence, being unable to obtain any satisfactory information; and soon after he demanded his audience of leave of the Prince Regent.*"

The wretched system pursued by the British ministry towards this country produced consequences they did not foresee. It promoted our manufactures more completely in five or six years than they would have been in thirty—and it produced a war which has given us a navy, and the highest naval standing in the eyes of the world.

CHAPTER LXI.

England said to be struggling for her existence. This no palliation of her outrages on neutral nations. Attack on Copenhagen.

Among the various errors lately prevalent, and pregnant with baneful consequences, a very important one was, that the European war on the part of England was a war for her existence—and this has been alleged not merely as a palliation, but as a justification of her outrages upon our citizens and upon our commerce. In fact, the long succession of outrages she perpetrated, were covered over with this mantle of oblivion, for the purpose of defaming the administration that resisted them.

I have already touched on this subject incidentally. It requires further elucidation. And at the hazard of repetition, I resume it.

The most important aggressions of England on the commerce of this country, may be referred to four epochs.—

1. The lawless and predatory captures in 1793, during the administration of gen. Washington.

2. The application in 1805, of the rule of 1756, without any previous notice or warning, and, to aggravate the enormity, against her own exposition of the law of nations, and against the decisions of her courts of admiralty; whereby the seas were swept of the American vessels and commerce.

3. The paper blockade by Charles J. Fox's administration, of the coast from the Elbe to Brest, an extent of 800 miles.

4. The orders in council.

Of these in due course.

Lord Castlereagh himself, or the marquis of Wellesley, would not dare to assert that the depredations in 1793 could be charged to jeopardy of her existence. They were wanton, unprovoked, lawless, and predatory to the last degree.

General Washington presided over the destinies of this country. He had resolved on and observed a fair and impartial neutrality. The manner, and time, and circumstances, were as monstrous as the measure itself.

On the subject of the second, I shall merely refer the reader to the mercantile memorials of 1805–6,* written and signed by men who have since as ably defended and justified the conduct of England, as at that period they unqualifiedly reprobated and denounced it. This change in their opinions and conduct does not change the nature of the facts. For the proceedings of the British ministry at that period, every honourable Englishman must blush. They were unworthy of, and disgraceful to, a mighty and respectable nation.

Charles James Fox's blockade was a gross violation of the laws of nations.—It was in direct hostility with previous declarations made by that statesman himself—as well as with the honourable and indeed the only legal definition of a blockade, given to our government by Mr. Merry, the British minister here.

"Admiralty Office, January 5, 1804.

"Sir,

"Having communicated to the lords of the admiralty, lord Hawkesbury's letters of the 23d inst. enclosing the copy of a dispatch which his lordship had received from Mr. Thornton, his majesty's charge d'affaires in America, on the subject of the blockade of the islands of Martinique and Guadaloupe, together with the report of the advocate general thereupon, I have their lordships' commands to acquaint you for his lordship's information, that they have sent orders to commodore Hood, not to consider any blockade as existing, *unless in respect to particular ports* WHICH MAY BE ACTUALLY INVESTED; and then not to capture vessels bound to such ports, unless they shall previously have been warned not to enter them; and that they have also sent the necessary directions on the subject to the judges of the vice-admiralty courts in the West Indies and America.

I am, &c.

EVAN NEPEAN.

George Hammond, Esq."

Here is the only fair, and honest, and honourable explanation of the law of nations on this subject, laid down by England herself. This letter stands on eternal record—and seals the irrevocable condemnation of that vile predatory system, whereby, according to George Cabot, James Lloyd, and the other Boston memorialists, she was during the course of the French war, "PREYING UPON THE UNPROTECTED PROPERTY OF A FRIENDLY POWER."† If lord Castlereagh, the marquis of Wel-

* See chapters xiv, xv, xvi, and xvii.

† Let it be observed that the predatory system of 1805, denounced by the Boston memorialists, as "*preying upon the unprotected property of a friendly power*," was incomparably less unjust and more defensible than the subsequent outrages perpetrated on American commerce.

lesley, lord Cathcart, George Canning, Mr. Rose, or Mr. War-in-Disguise, should find this accusation somewhat indigestible, let them hurl the gauntlet at Mr. Lloyd and his friends.

The orders in council close the catalogue. They will form an eternal blot on the escutcheon of the administration by which they were enacted, and so long supported. For their impolicy I refer the reader to chapter LV. It was at least equal to their flagrant injustice.

From the 1st of March, 1809, they lost whatever plea or palliation might have previously existed for them. The non-intercourse act, passed on that day, put it in the power of Great Britain, at any hour she pleased, to open our ports to her trade and navigation—to shut them against the vessels and trade of France—and in effect to have ultimately produced war between that nation and the United States.

The refusal of this offer was a clear, convincing, and unanswerable proof, that her sole object was monopoly, and that, in the language of Mr. Bayard, retaliation was merely "a pretence." Her depredations were continued without intermission. I ask any honest Englishman—any candid federalist, now that the reign of delusion has terminated, were these depredations, to pass over their immorality and injustice, such measures, as, on mere principles of policy, "*a nation struggling for her existence*" ought to have adopted? Was it just, or proper, or prudent, for "*a nation struggling for her existence,*" to violate the rights, and to plunder the property of an unoffending neutral, and risk a war with that neutral? Surely not.

In a word, I ask Timothy Pickering, Rufus King, George Cabot, or governor Strong, whether the conduct of Great Britain on the ocean was not as unjust, as arbitrary, and as lawless, as that of Bonaparte on terra firma? Whether the clandestine orders of 1793, and those of 1805, were not as perfidious, as faithless, and as utterly indefensible, as any act of the French emperor? And finally, to sum up the whole, whether there is in the history of mankind any act much more atrocious than the attack upon Copenhagen, the capital of an innocent and respectable neutral, for the purpose of seizing her fleet? Whether this act and the perfidious conduct of Bonaparte towards Spain are not exactly of the same character?

"Amidst all the convulsions which Europe had experienced in consequence of the revolution in France, the kingdom of Denmark had, by the wise and temperate policy of her ruler, been in a great measure preserved from the fatal consequences of those commotions which had overturned governments of much greater political importance. This had been accomplished, not by humiliating herself to any of the belligerent powers; not by espousing the

cases of such of them as appeared for the moment to be successful; but by maintaining a firm, dignified, and undeviating independence, neither influenced by intrigues nor intimidated by threats. Her naval and military establishments, though not great, were respectable; and, combined with the natural advantages of her situation, might justify her in the hopes of defending herself with success against any enemy that should attempt to infringe upon her neutrality. In order to defend this neutrality, the Danish government had, for a considerable time past, concentred its army on its continental frontiers; and it has been stated, that this measure was adopted at the instance of Great Britain, as being favourable to the protection of her commerce. In this situation the British fleet, with a large military force, arrived on the coast of Zealand, where the Danish government saw no reason to recognize them in any other character than that of friends and protectors. They were there joined by the German legion from the isle of Rugen; and Mr. Jackson, the British resident at Copenhagen, according to instructions received from his court, *demanded from the Danish government the surrender of its navy to his Britannic majesty*, to be retained by him until the restoration of a general peace. This proposition was indignantly rejected; in consequence of which the troops were landed; and a proclamation was published by lord Cathcart, the commander in chief, stating the motives and objects of such a proceeding, and threatening, that in case of resistance *the city of Copenhagen* should be desolated BY EVERY POSSIBLE MEANS OF DEVASTATION. Unprepared as the city then was, the crown prince gave orders that it should be defended to the last extremity. Of the Danish navy, not a ship was rigged, and the crews were absent. On the second day of September, the British troops commenced the attack, on three sides of the city, which continued for several days without intermission; during which 6,500 shells were thrown into the town, which was soon on fire in upwards of thirty places. The timber yards were consumed; the powder magazine blew up; the steeple of the cathedral church was in a blaze, and fell amidst the continual shouts of the British troops. From the mode of attack which had been adopted, *hostilities were not confined to the Danish soldiery and the armed burghers engaged in the defence of the city; but extended to the inhabitants of both sexes—the aged, the young, the infirm, the sick, and the helpless, for whose safety no opportunity was afforded of providing, and great numbers of whom perished by the bursting of the shells, the fire of the artillery, and the innumerable accidents consequent on so dreadful and unexpected an attack.* It soon appeared that the city was unable to make an effectual resistance; the British forces having approached with their trenches so near, as to be enabled to set it on fire whenever they pleased. To prevent this consummation of misery, the Danish commander assented to terms of capitulation, by which he agreed to surrender up the fleet, upon condition that the British army should evacuate the island of Zealand within six weeks, and that public and private property should in the mean time be respected.*

Of these horrible scenes, worthy of Alaric, Attila, or Genghis Khan, it is impossible to read without shuddering with horror. Every Englishman, who possesses a high sense of national honour, must deplore the stain they have impressed on the escutcheon of his native land—and must join in the execration to which the upright part of mankind have consigned the ministers who planned and ordered the perpetration of such a scene of barbarous and merciless outrage.

* Roscoe's view of the causes, objects, and consequences, of the present war—and on the expediency or the danger of a peace with France, page 42.

Away then for ever with the miserable cant of "*a struggle for her existence*," as not merely a palliative, but a justification of "PREYING UPON THE UNPROTECTED PROPERTY OF A FRIENDLY POWER."* This high and damning accusation against Great Britain, of "*preying upon the unprotected property of a friendly power*" was advanced by George Cabot, James Lloyd, Thomas Perkins, Arnold Welles, and the other Boston merchants who signed the memorial to congress in 1805; but who have from that period to the present been the advocates of the British, and the accusers of their own government.

Every nation at war may be said "*to struggle for her existence.*" But she is not *therefore* to "*struggle*" her unoffending neighbours out of their ships, their seamen, their property, or the dearest rights of their sovereignty, to help to preserve herself in "*a struggle*," created by lawless ambition.

A few short months have elapsed since the United States, contending single-handed against the most formidable naval power that ever existed, might be emphatically and correctly said to be "*struggling for their existence*," which was really and truly jeopardized. What consummate folly and madness, as well as injustice, would it have been, to have commenced depredations on the commerce of Russia, France, Spain, or Holland, and to add one or more of those nations to the list of our enemies? At such a critical time, it becomes nations to "carry their faculties so meek," as to give no reasonable cause of offence. If, therefore, the idea be correct, that Great Britain was really struggling for her existence, so far from justifying or palliating her conduct towards the United States, it only more fully proves the dire insanity of those fatuitous counsels by which her affairs were directed.

CHAPTER LXII.

The loud clamour raised by the eastern states on the subject of representation, wholly unfounded. The result of factious delusion. Statistics. Examination of the representation in the Senate.†

To reconcile the people of the eastern states to the parricidal project of a dissolution of the union, there has

* See Boston memorial, page 102.

† This, and the two succeeding chapters, are extracted from a pamphlet, published Nov. 28, 1814, by the author of the Olive Branch, and entitled "A Calm Address to the People of the Eastern States."

been a great outcry raised on the subject of its inequalities and disadvantages, and its oppressive operation on that portion of the nation, particularly in regard to the representation in the lower house of congress. The most extravagant errors are afloat on this topic. It is generally believed, that the southern states have an enormous and undue influence in that body, in consequence of taking the slaves into account in fixing the number of its members.

I waive, for a few minutes, the consideration how far this inequality and injustice exist. For sake of argument, I will admit them for the present. And I respectfully ask the reader, whether it be possible to form a partnership or connexion of any kind, without inequality? Take any species you choose. Examine the talents, the address, the capital, the means of promoting the joint interests of the concern; you will find that there is in some—perhaps in all these respects—a considerable inequality—that one party has an advantage in respect to understanding, or influence, and another in point of capital or skill—or in some other of the various ways in which men differ from their fellow mortals. Go to the married state. Examine there minutely. You will find the case the same. And I aver, that it is almost absolutely impossible to form any connexion whatever with a perfect equality.

This being obviously and strikingly the case in those simple associations which I have considered, how could it be supposed that so delicate and so complicated an association as that of thirteen independent sovereignties, more or less various in their habits, in their productions, in their climates, in their population, in their pursuits, could have been formed without a spirit of compromise—without a mutual balancing of advantages and disadvantages? To expect it, would be the quintessence of folly.

But the reader will doubtless be astonished, when he finds what is the real state of the case. He will be convinced, that the alleged grievances which have been made the instruments of exciting the angry passions, and preparing our eastern brethren for rebellion, have no existence. Let the two legislative bodies be combined together, and it will be obvious, that the eastern states have had, and still have rather more than the share of influence to which their white population entitles them. I have taken some pains to make the calculations requisite to lay the real state of the case before the public: and I submit the result in both branches of the legislature.

Examination of the representation of the eastern states in the Senate of the United States, on the ground of white population only.

Population of the United States, Anno 1790,	3,929,328
Deduct slaves, - - - -	697,697
White population, - - - - - -	3,231,629
Total population of the eastern states, -	1,009,522
Deduct slaves, - - - - - - -	3,886
White population, - - - - - -	1,005,636

Total number of Senators, 23.

As 3,231,629 : 23 : : 1,005,636 : 8.677.

Thus, their exact proportion, had the slaves been rejected, was 8.677; whereas, they had ten senators.

Population of the United States, Anno 1800,	5,303,666
Deduct slaves, - - - - - - -	896,849
White population, - - - - - -	4,406,817
Population of the eastern states, - - -	1,233,011
Deduct slaves, - - - - - - -	1,339
White population, - - - - - -	1,231,672

Total number of senators, 34.

As 4,406,817 : 34 : : 1,231,672 : 9.502.

Here, again, they had more than their proportion, which was 9.502; whereas, they had ten.

Population of the United States, Anno 1810,	7,239,903
Deduct slaves, - - - - - - -	1,191,364
White population, - - - - - -	6,048,539
White population of the eastern states, - -	1,471,973

Total number of senators, 36.

As 6,048,539 : 36 : : 1,471,973 : 8.760.

On this third census, their proper proportion is 8.760; whereas, they have, as before, ten.

Thus it is evident that the eastern states have had in the senate, more than their due proportion of influence from the commencement of the government—and that in the

present senate they have actually 14 per cent. more than they are entitled to, ☞ *taking into consideration merely the white population of the nation, notwithstanding the introduction of new states.*

Who can forget the daring threat held out by Mr. Quincey, of resistance to the introduction of new states, "*amicably if they could, violently if they must?*"

"Mr. Quincey repeated and justified a remark he had made; which, to save all misapprehension he committed to writing in the following words:—"If this bill passes, [illegible] v deliberate opinion, that it is virtually A DISSOLUTION OF [illegible] ON; that it will free the states from their mo[illegible] obligation; and [illegible] *right of all*, so it will be the *duty of some*, TO PREPARE F[illegible] ATION, *amicably if they can*—VIOLENTLY IF THEY MU[illegible]

Any person unacquainted with the subject, to have heard or read Mr. Quincey's speeches on this topic, would have concluded—and not unreasonably—that some lawless outrage had been perpetrated on the section of the union which he represented; and that it was robbed of its due share of influence in the senate by that measure. How astonished must he be to find, that from the organization of the government, the fact has been directly the reverse; that it has had more than its share of influence; and that the other sections of the union have had solid and substantial causes of complaint on this subject!

CHAPTER LXIII.

Statistics continued. Slave representation fairly stated. Result.

I now proceed to consider the state of the representation in the lower house, to which the loud complaints of Francis Blake, Mr. Lowell, Mr. Harrison Gray Otis, and their friends, particularly refer. They have been but too successful in persuading their fellow-citizens, that to the fatal source of slave representation may be ascribed all the manifold oppressions, and injustice, which they allege the eastern states have experienced.

I believe there is not one man in a thousand who has a conception how very slight the inequality is here. I have asked a number of intelligent and well informed men their opinions—and some surmised 100 per cent. beyond the truth—others were wide of it 200 per cent.

* National Intelligencer, Jan. 15, 1811, in the debate on the admission of New Orleans as a state.

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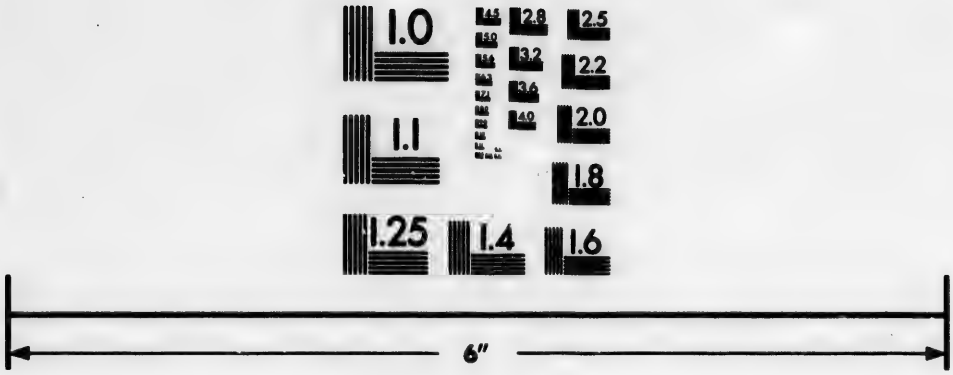

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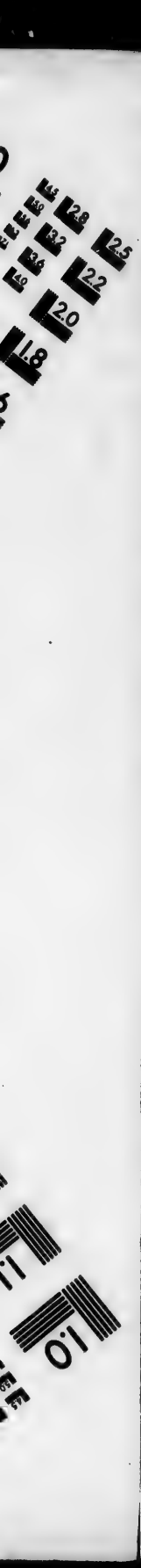
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What must be your amusement, reader, to learn, that if all the slaves in the United States were discarded, in the apportionment of members of the house of representatives of the United States, it would make a difference of only three in the number of representatives of the eastern states?

The white population of the United States at the late census, was - -	6,048,539
That of the eastern states, -	1,147,973

Total number of members, 182.

Actual representatives of the five eastern states, 44.

As 6,048,539 : 182 : : 1,147,973 : : 34.00042.

Thus it appears, that were the representation graduated by the white population alone, the eastern states would be entitled to but 34 representatives. Therefore, the injury they suffer by the admission of the slaves, is only a reduction of three members, in a body of 182—whereas they have one and a quarter more than they are entitled to in the senate, a body of 36 members. That is to say, and let it be borne in remembrance, in one branch they are not two per cent. below their proportion—and in the other branch, which is by far the more influential and powerful, they have about 14 per cent. more than they are fairly entitled to by their white population!

A view of the slave representation in the House of Representatives. Census of 1810. Ratio, one representative for 35,000 inhabitants.

Maryland.—Total population - -	380,546
Deduct slaves - - - -	111,502
Divide by the ratio 35,000)	269,044 (7
Remainder - - - -	20,944
Add three fifths of 111,502 slaves -	66,900
Divide by 35,000)	90,944 (2
Fraction rejected - -	20,944

Nine representatives—7 for whites—2 for slaves.

Virginia.—Total population -	974,622
Deduct slaves - - -	392,518
	582,104

Divide by 35,000)[illegible](1[illegible]

Remainder - - - [illegible]
Add three-fifths of [illegible] slaves [illegible]

Divide by 35,000)[illegible](7

Fraction rejected - - [illegible]
Twenty three representatives—16 for whites—7 for slaves.

Kentucky.—Total population - 406,511
Deduct slaves - - - 80,561

Divide by 35,000)325,950(9

Remainder - - - 10,950
Add three-fifths of 80,561 slaves - 48,336

Divide by 35,000)59,286(1

Fraction rejected - - 24,286
Ten representatives—nine for whites—one for slaves.

North Carolina.—Total population 555,500
Deduct slaves - - 168,824

Divide by 35,000)386,676(11

Remainder - - - 1,676
Add three-fifths of 168,824 slaves 101,292

Divide by 35,000)102,968(3

Fraction rejected - - 32,968
Thirteen representatives—eleven for whites—two for slaves.

South Carolina.—Total population 415,115
Deduct slaves - - - 196,365

Divide by 35,000)218,750(6

Remainder - - - 8,750
Add three-fifths of 196,365 slaves 117,837

Divide by 35,000)126,587(3

Fraction rejected - - 21,587
Nine representatives—six for whites—three for slaves.

Georgia.—Total population -	252,433
Deduct slaves - - -	105,218
Divide by 35,000)	147,215(4
Remainder - - -	7,215
Add three-fifths of 105,218 slaves	63,129
Divide by 35,000)	70,344(2
Fraction rejected - - -	344

Six representatives—four for whites—two for slaves.

Tennessee.—Total population -	261,727
Deduct slaves - - -	44,535
Divide by 35,000)	217,192(6
Remainder - - -	7,192
Add three-fifths of 44,535 slaves -	26,721
Fraction rejected - -	33,913

No representative of the slaves.

A few facts on the subject of the slave representation in the lower house.

New-York, by the first and last census, has had for ten years, and will have for ten [illegible], one slave representative.

Total population of New-York, Anno 1790	340,120
Deduct slaves - - -	21,324
Divide by the ratio of 33,000)	318,796(9
Remainder - - -	21,796
Add three-fifths of 21,324 slaves -	12,793
Divide by 33,000)	34,588(1
Fraction rejected - - -	1,588

Total population of New-York, Anno 1810	959,049
Deduct slaves - - -	15,071
Divide by 35,000)	944,140(26
Remainder - - - -	34,140
Add three-fifths of 15,017 slaves -	9,009
	43,149

Divide by 35,000)[illegible]

Fraction rejected - - - [illegible]

Delaware has a slave representative.

Total population of Delaware in 1810 - 72,674
Deduct slaves - - - 4,177

Divide by 35,000)68,497(1

Remainder - - - 33,497
Add three-fifths of 4,177 slaves - 2,505

Divide by 35,000)36,002(1

Fraction rejected - - 1,002

Massachusetts, to her great honour, has no slaves. But it is a curious fact, that she has a representative of her black population.

Her Whites are - - [illegible]
Blacks - - - 7,796

700,745

This, divided by 35,000, just allows her twenty members. Deduct the blacks, and she would have but nineteen.

Representatives of slaves.

	1790	1800	1810
New-York	1	0	1
Delaware	0	0	1
Maryland	2	2	2
Virginia	6	6	7
North Carolina	2	2	2
South Carolina	2	2	2
Georgia	1	1	2
Tennessee	0	1	1
Kentucky	0	1	1
	14	15	19

The following views display the very extraordinary inequalities that exist in the representation in the senate.

They fully establish the necessity of mutual forbearance, and the laudable spirit of compromise that prevailed in the federal convention.

VIEW I.

	Free persons.	Senators.		Free persons.	Senators.
Massachusetts	700,745		New York	944,032	
New Hampshire	214,460		Pennsylvania	809,296	
Vermont	217,895		Virginia	582,104	
Connecticut	261,632		North Carolina	386,676	
Rhode Island	76,823		Kentucky	325,950	
	1,471,555	10		3,038,058	10

Thus it appears that the eastern states with only free persons - - - - - - - - - 1,471,555, have as much influence in the senate, as the above five middle and southern states with - - - - 3,036,058.

VIEW II.

	Free persons.	Senators.		Free persons.	Senators.
New Hampshire	214,460		New York	944,032	
Vermont	217,895		Pennsylvania	809,296	
Connecticut	266,632		Virginia	582,104	
Rhode Island	76,823		North Carolina	386,676	
	775,810	8		2,722,108	8

Four of the eastern states, with 775,810 free persons have as much influence as four middle and southern states with 2,722,108—and four times as much as Pennsylvania with 799,296.

VIEW III.

	Free persons.	Senators.		Free persons.	Senators.
Massachusetts	700,745		Maryland	269,044	
New Hampshire	214,460		Virginia	582,104	
Vermont	217,895		North Carolina	386,676	
Connecticut	261,532		Ohio	230,760	
Rhode Island	76,823		Kentucky	325,950	
			Tennessee	217,192	
			South Carolina	218,750	
			Georgia	147,215	
	1,471,555	10		2,377,691	16

The result of this comparison was utterly unexpected. It has surprized me exceedingly, and will no doubt surprize the reader. It is a fair and overwhelming view of the com-

parative influence in the senate, of the murmuring, discontented, and oppressed "nation of New England" with that of the whole of the ancient "slave states," as they are called. It appears that the former have one representative in senate for every - - - 147,155 free persons, and that the latter have one for every 148,605 do.

The addition of Louisiana has altered the state of the representation. It makes the ratio for the slave states about 156,000.

VIEW IV.

	Free persons.	Senators.		Free persons.	Senators.
Rhode Island	76,823		New York	944,032	
Delaware	68,497		Pennsylvania	799,296	
	145,320	4		1,743,328	4

One free person in Delaware or Rhode Island, it is obvious from the above view, possesses as much influence in the senate of the United States as twelve in New York or Pennsylvania. And one in Delaware possesses nearly as much as fourteen in New York. One in Rhode Island has more than seven in Virginia.

VIEW V.

	Free persons.	Senators.		Free persons.	Senators.
New Hampshire	214,460		Virginia	582,104	
Connecticut	266,632				
Rhode Island	76,623				
	557,924	6		582,104	2

Three eastern states, with 557,924 free persons have six senators, and Virginia with 582,104, has but two.

If the wisest and best of the citizens of the United States assembled in convention, with General Washington and Dr. Franklin at their head, found it necessary for the peace and happiness, and respectability of the country, to ratify the constitution, with such prodigious inequalities as are stated above, it is not difficult to form an opinion on the folly and wickedness of the loud complaints of injustice and inequality, on points to the last degree insignificant, whereby the spirit of sedition has been excited in the eastern states.

The war question, it has been said, was carried by the slave representatives. This is an egregious error. The majority in the lower house was 30. And the whole number of slave representatives is only 19. So that had they been wholly rejected, the vote would have been carried. I

pass over the slave representatives from New York and Delaware, both of whom voted against the war. I likewise waive the consideration of the fact, that eleven members from the southern states also voted against the measure.

A fair view of all the preceding tables and facts, will satisfy any man not wholly destitute of truth and candour, that the interest of the eastern states have been carefully guarded in both branches of the legislature of the union. Their complaints are to the last degree groundless and factious. It will further prove, that Pennsylvania has a stronger ground of complaint by far in the senatorial branch than the eastern states in the other. With a population of 800,296 free persons, she has but two senators; whereas New Hampshire, Vermont, Rhode Island, and Connecticut, with 775,810, have eight. The difference is enormous and immense.

Statement of the number of members in the house of representatives, after the different Census.

	First.	Second.	Third.
New Hampshire,	4	5	6
Vermont,	2	6	6
Massachusetts,	14	17	20
Connecticut,	7	7	7
Rhode Island,	2	2	3
New York,	10	17	27
New Jersey,	5	6	6
Pennsylvania,	13	18	23
Delaware,	1	1	2
Maryland,	8	9	9
Virginia,	19	22	23
North Carolina,	10	12	13
South Carolina,	6	8	9
Georgia,	2	4	6
Kentucky,	0	6	10
Tennessee,	0	3	6
Ohio,	0	0	6
Louisiana,	0	0	1
	103	141	182

CHAPTER LXIV.

Enquiry into the charge against the southern states of destroying commerce, to promote manufactures. Utterly unfounded. The eastern states deeply interested in manufactures. The southern the reverse.

LET me, reader, still further trespass on your attention. There is one point of considerable importance, on which our eastern fellow citizens have been egregiously deceived, and on which it is desirable they should form correct opinions.

That the administration and all the southern members of congress are actuated by an inveterate hostility to commerce, and that their measures have been dictated by a desire to destroy it, for the purpose of injuring the commercial states, has been assumed as an incontrovertible fact, which could neither be disputed nor denied. It has been, as I have stated, re-echoed by governors and legislators—by inflammatory writers in newspapers—and by equally inflammatory clergymen in their pulpits, until any doubt of it is believed to be as wicked and heterodoxical, as a doubt of any of the miracles of the Koran is regarded by the mufti at Constantinople.

It was necessary to find some motive for this hostility. It would have been too monstrous to assert that the *southerners*, as some of the eastern writers have stiled the people of the southern states, destroyed commerce to promote agriculture, and of course to advance their own interests. This would not stand examination, and was therefore abandoned. It was however necessary to devise some pretext. And, it has a thousand times been asserted, that *the hostility to commerce arose from a desire to promote manufactures.* ☞ *And this sorry tale has been believed by the "most enlightened" portion of "the most enlightened nation in the world."*

The following facts will shew the transcendent folly of this allegation.

1. *The eastern states have numerous and important manufactures established on a large and extensive scale.*

2. The extreme *sterility* of a large portion of their soil, and the comparative *density* of their population, render manufacturing establishments *indispensably necessary to them.*

3. They are therefore *deeply and vitally interested in the promotion of manufactures*, without which they would be in a great measure *depopulated* by the attractions of the western, middle, and southern states.

4. The manufactures of the southern states are principally in private families.

5. These states have no redundant population. Their people find full employment in agriculture.

6. *They have therefore little or no interest in the promotion of manufactures.*

7. But the reduction, or restriction, or injury of commerce, *cannot fail vitally to injure them, by lessening the demand for, and lowering the price of, their productions. We have seen that it has produced this effect to a most ruinous extent.*

8. It irresistibly follows, that if the southern states wantonly destroyed or restricted commerce, to promote manufactures, *it would be inflicting the most serious and vital injury on themselves for the mere purpose of serving those states to which they are said to bear an inveterate and deadly hostility!!!*

9. Whoever, possessing any mind, can disseminate these opinions, must mean to deceive; for he cannot possibly believe them himself.

10. Whoever can believe in these absurdities, may believe that rivers occasionally travel to their sources—that lambs devour wolves—that heat produces ice—that "thorns produce figs"—or, what is almost as absurd, that the soil of Massachusetts is as fertile, and the climate as mild, as the climate and soil of South Carolina or Georgia.

CHAPTER LXV.

Militia defence. System of Classification proposed in Congress. Rejected. Awful outcry.

TOWARDS the close of the late war with Great Britain, an attempt was made in Congress to employ in the defence of the nation a portion of the militia, in a mode the most simple, the most practicable, the most efficient—and at the same time, the least burdensome, that was ever adopted in any country. Those persons throughout the United States, who are subject to militia duty, were to be divided into classes, each of twenty-five. Every class was to furnish one of its members, who was to serve for one year, or during the war, and whose bounty was to be contributed by the rest of the class in certain proportions. Or, if none of the class thought proper to serve, a recruit was to be enlisted at their joint expense.*

* These were the grand important features of various plans submitted to

Against this noble system of defence, so equitable, so just, so unexceptionable—so adequate to its end—so easy and free from burden to our citizens—so likely to bring the war to a close, by convincing the enemy of the impossibility of making any impression on us—there was a most hideous outcry raised in and out of congress—an outcry highly disgraceful and factious. It was branded with the odious name of "*Conscription*," and identified with the horrible system of Bonaparte, whereby the whole male population of France was subject to his despotic will and pleasure.

The attempt was of course defeated. To the passions of the people the most inflammatory appeals were made. A most lamentable delusion prevailed on the subject. Many of our citizens were, by unceasing efforts, led to believe, that the plan was wholly unprecedented in this country; that it was utterly unconstitutional and pernicious; and that it was intended as the basis of a military despotism. And to such an awful extent was the frenzy carried, that open resistance was not obscurely threatened. Sexagenarian veterans, shaking their hoary locks, and burnishing their rusty, revolutionary arms, were disposed to punish, at the point of the bayonet, those whom they were taught to regard as violators of the constitution.

It is hardly possible to conceive of a more awful delusion. Never were the public credibility and credulity more miserably played upon. For, as I have already stated, it is hardly possible to contrive a plan of public defence more just, more rational, more unexceptionable, or more efficient.

Let us examine the matter. Recruits for a year, could have been readily procured at any time for two hundred dollars. Of course the tax on each individual, of twenty-five persons bound to furnish a recruit, would be only eight dollars, for which he would be exempt from all the dangers, and hardships, and privations of a military life!

The British government would probably have made immense sacrifices to prevent the establishment of such a system. It was the measure most really formidable and efficient against her veteran armies, that had been devised. But surely this ought to have been no reason why American legislators should oppose it—or why the factious and tu-

Congress, and to the Legislature of Pennsylvania, which were absurdly and disgracefully rejected. There were some unessential differences between them, not worth attention in this discussion. To the honour of the enlightened patriotic Legislature of New York, they were not deterred by the wretched clamour that prevailed on this subject. They passed an act to raise 10,000 men on the classification plan.

multuous meetings, held to denounce the system, should be eulogized as displays of "*the spirit of seventy-six.*"* Had such a wretched spirit prevailed in '76, this glorious country would never have emerged from its colonial and dependent state.

From the extreme abhorrence of wars and fightings, manifested by some of the members of congress—from their wailings, and lamentations, and strong sensibilities, at the possible loss of a single life, a stranger might suppose they were quakers or menonists, who were not merely conscientiously scrupulous against carrying arms themselves, but principled against warfare altogether. And from the delicacy of their constitutional exceptions and objections, it might be reasonably presumed, if the constitution were not at war with such a presumption, that there was no power given, or intended to be conveyed to the general government, to command or coerce the military service of any individual citizen. It would appear, that the citizens of the United States had obtained letters patent from Heaven for enjoying all the benefits of society and of self-government, without risking either life or limb—or shedding a drop of blood in their defence.

While the public delusion on this topic lasted, argument was useless. Prejudice, and passion, and irrationality, almost universally predominated. But every species of folly and madness has its day. After its spell is dissolved, it becomes harmless and inoffensive. It is then a fair subject of inquiry and investigation. The understanding of the public may be addressed with a tolerable chance of success.

I therefore venture to discuss the subject, and solicit the calm attention of the reader. In case of future wars, from which we cannot hope to be exempt, it may be of considerable importance to establish correct opinions on a subject inferior to none in importance—I mean the most eligible mode of public defence.

I therefore undertake to prove these seven propositions:

1. That there is no principle more clearly recognized and established in the constitutions and laws of the several states, than THE RIGHT OF SOCIETY TO REQUIRE AND COERCE, AS WELL AS THE DUTY OF THE CITIZEN TO AFFORD, MILITARY SERVICE FOR THE GENERAL DEFENCE.

2. That the power of congress to call forth, and order the employment of, the militia, in cases of *invasion*, rebel-

* In several parts of the union, factious meetings were held to denounce this plan, whose proceedings were detailed in many of our papers, headed in large letters with the words, "SPIRIT OF '76."

lion, or insurrection, is as clearly established as any other power vested in that body.

5. That the mode of drafting, generally prescribed by the militia laws of the several states, is oppressive, unequal, and unjust.

6. That the force so drafted is generally inefficient, and enormously expensive.

7. That the system of classification is the most impartial—the most efficacious—and the least oppressive mode of calling into operation the militia, of any of the plans that have ever been devised.

8. That the proposed system of classification prevailed during the revolution—and of course, instead of having been borrowed from Bonaparte by our present rulers, was, if borrowed at all, borrowed by France from this country.

7. That the classification or conscription system, most elaborately matured by General Knox, and stamped with the seal of General Washington's approbation, was more strict and extensive in its provisions, than any of the recent plans.

CHAPTER LXVI.

Right of Society to coerce, and duty of Citizens to afford, military service, recognized by the Constitutions and Laws of the several states.

To establish my first point, that "there is no principle more clearly recognized and established, in the constitutions and laws of the several states, than the right of society to require and coerce, as well as the duty of the citizen to afford, military service for the general defence," I submit to the reader, the most satisfactory extracts from the constitutions of New-Hampshire, Vermont, Massachusetts, New-York, Pennsylvania, Delaware, and Kentucky; and from the militia laws of Massachusetts, Connecticut, Rhode Island, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Georgia, and Kentucky. These are all the states whose statute books I have been able to procure.

The declaration of rights of the state of New-Hampshire, expressly provides that

"Every member of the community has a right to be protected by it, in the enjoyment of his life, liberty, and property: he is therefore bound to contribute his share to the expense of such protection; and ☞ TO YIELD HIS PERSONAL SERVICE WHEN NECESSARY, *or an equivalent.*"

It gives the governor for the time being complete and plenary power, "by himself or any chief commander or officers,"

"To train, instruct, exercise, and govern the militia and navy; and for the special defence and safety of the state, to assemble in martial array, and ☞ *put in warlike posture the inhabitants thereof*; and to lead and conduct them; and with them encounter, repulse, repel, resist, and pursue, by force of arms, as well by sea as by land, ☞ *within and without the limits of the state*, every such person or persons as shall at any future time attempt the destruction, invasion, detriment, or annoyance of the state."

It further invests the governor with the mighty and tremendous power,

"To use and exercise over the army and navy, and *over the militia in actual service*, ☞ THE LAW MARTIAL IN TIME OF WAR, INVASION, AND ALSO IN REBELLION, declared by the legislature to exist, as occasion shall necessarily require."

Nothing can be more clear and explicit than these provisions. They level in the dust the volumes of rant and declamation, which have been uttered in congress, and with which the press has teemed, on this important topic.

The constitution of the state of Massachusetts contains the same provisions, couched in the very same words as that of New-Hampshire. One has been obviously copied from the other. It is therefore unnecessary for me to make any extract from that of the former state. I refer the reader to the volume of the Constitutions of the United States.

The constitution of New-York explicitly declares that

"Whereas it is of the utmost importance to the safety of every state, that it should always be in a condition of defence, and ☞ IT IS THE DUTY OF EVERY MAN WHO ENJOYS THE PROTECTION OF SOCIETY, TO BE PREPARED AND WILLING TO DEFEND IT. Therefore this convention, in the name and by the authority of the good people of this state, doth ordain, determine, and declare, that the militia of this state, at all times hereafter, as well in peace as in war, ☞ *shall be armed and disciplined, and* IN READINESS FOR SERVICE."

The declaration of rights of the constitution of Vermont, states that

"Every member of society hath a right to be protected in the enjoyment of life, liberty, and property; and therefore is bound to contribute his proportion towards the expenses of that protection, and ☞ YIELD HIS PERSONAL SERVICE, when necessary, or an equivalent thereto.**** *Nor can any man who is conscientiously scrupulous of bearing arms, be justly compelled thereto*, ☞ IF HE WILL PAY SUCH EQUIVALENT."

The old constitution of Pennsylvania is in unison with those already quoted—viz.

"Every member of society hath a right to be protected in the enjoyment of life, liberty, and property; and therefore ☞ *is bound to contribute his proportion towards the expense of that protection, or* ☞ *an equivalent thereto*; but no part of a man's property can be justly taken from him, and applied to public uses, without his consent, or that of his legal representatives: nor can any man who is conscientiously scrupulous of bearing arms, be justly compelled thereto, ☞ *if he will pay such an equivalent*."

The existing constitution of Pennsylvania is equally clear:

"The freemen of this commonwealth ☞ *shall be armed and disciplined for*

its defence. Those who conscientiously scruple to bear arms, shall not be compelled to do so; but ☞ *shall pay an equivalent for personal service.*"

Kentucky holds the same language—

"The freemen of this commonwealth (negroes, mulattoes, and Indians excepted) ☞ *shall be armed and disciplined for its defence.* Those who conscientiously scruple to bear arms, shall not be compelled to do so; but ☞ *shall pay an equivalent for personal service.*"

The old constitution of Delaware had a clause nearly verbatim with some of the preceding—

"Every member of society hath a right to be protected in the enjoyment of life, liberty, and property; and is therefore bound to contribute his proportion towards the expense of that protection, and ☞ YIELD HIS PERSONAL SERVICE, when necessary, *or an equivalent thereto.*"

I presume I might here dismiss the subject. It is impossible to resist the conviction the foregoing clauses flash on the mind. They strike dead cavilling and casuistry, declamation and sophistry, as with the forked lightning. The wisest and best men of seven states, engaged in the all-important duty of framing forms of government for their fellow-citizens, solemnly recognize the paramount right of society to coerce, and the imperious duty of the citizen to afford personal service, or an equivalent, for the general defence. And the intelligent and respectable men, who framed the constitutions of New-Hampshire and Massachusetts, invested the governors with the power to lead the militia in pursuit of an enemy, "within and *without the state,*" and to exercise MARTIAL LAW *on the militia,* as well as on the regular army.

I now proceed to detail the legal provisions on this point. They will be found equally clear and conclusive. I begin with Massachusetts.

"Whenever the governor, or commander in chief, shall order a detachment from the militia aforesaid, and any person who shall be detached in obedience of such orders, being duly notified thereof, and ordered to march to the place of rendezvous, *shall neglect or refuse to obey such order, or shall not, within twenty-four hours after he shall have been notified as aforesaid, pay a fine of ten pounds to the captain or commanding officer of the company to which he shall belong, or procure an able-bodied man in his stead,* ☞ SUCH PERSON SHALL BE CONSIDERED AS A SOLDIER IN SUCH DETACHMENT, AND BE DEALT WITH ACCORDINGLY; and in all cases where the said fine shall be paid, the same shall be applied to hiring men for any service which shall be required of the company under the command of the captain or officer who shall receive the same."*

Should any commissioned officer of the militia refuse to make a detachment from the corps under his command, for the purpose of repelling invasion, suppressing insurrection, &c. then

* Permanent laws of Massachusetts, vol. I. page 314.

"In addition to the punishment which may be inflicted by virtue of any act for regulating the militia, if convicted thereof before the justices of the supreme judicial court, he shall be subject to be fined *in a sum not exceeding* ☞ *fifty pounds, and to be adjudged incapable of sustaining any office in the commonwealth, for a term not exceeding* ☞ *ten years*; to either or both of the said penalties according to the aggravation of the offence and circumstances of the offender, as to the justices of the said court shall seem meet.

"And be it further enacted, That if any person, whether non-commissioned officer or private, and belonging either to the train band or alarm list, who shall be detached or ordered to march for the support of the civil authority, or suppression of any *insurrection, existing or apprehended, as aforesaid*, shall refuse or neglect to march, armed and equipped, in the manner and at the time which the officer by whom he shall be detached shall direct, or shall desert or leave the service before he shall be regularly discharged, if convicted thereof before the justices of the supreme judicial court, *he shall be subject to be fined at the discretion of the said court, in a sum not exceeding ten pounds.*

"And be it further enacted by the authority aforesaid, That if any person, in public or private conversation, or by any ways or means, *shall dissuade or endeavour to prevent any military officer from performing the duty required of him* by this act, or any person or persons, detached or ordered to march for the purpose aforesaid, from marching to the place of rendezvous, or from continuing in the service until regularly discharged, each person so offending, being convicted thereof, as aforesaid, shall pay a fine to the use of the commonwealth, *not exceeding* FIFTY POUNDS, and shall recognize for his good behaviour for a term *not exceeding three years.*"*

I hope the reader will compare these sections with the most rigorous of those contained in Mr. Monroe's or Mr. Giles's plans. Candour will compel him to acknowledge, that the latter are incomparably less burdensome and oppressive than the former.

The statute of Connecticut respecting the militia, adopts the regulation of the act of congress, whereby every free able-bodied white man, between the ages of 18 and 45, is declared subject to militia duty. It further exempts quakers from that duty, on the payment of three dollars and thirty cents per annum. It then invests the captain-general with power, in certain specified cases, to order out even the *whole of the militia or military force of the state.* I submit the very strong and expressive clause to the reader:

"The captain general, or, in his absence, the next commanding officer of state, is hereby authorized and empowered, ☞ *as he may judge necessary upon the occasion, on an alarm, invasion, or notice of the appearance of an enemy, either by sea or land, to order out the* WHOLE *or any part of the military force of this state*; to assemble and put the same in warlike order; and ☞ *the same to lead, order, and employ for the assistance or relieving any of the inhabitants of this state, attacked by an enemy, or in danger thereof*; and generally to issue and publish, by proper staff or orderly officer, ☞ *such orders as he shall judge expedient*, to carry into execution the intent and design of this act."†

The militia law of New-York is equally clear and explicit—

* Idem, page 330.

† Statute laws of Connecticut, page 310.

"The commander in chief of this state may, in case of invasion or other emergency, when he shall judge it necessary, order out ☞ ANY PROPORTION OF THE MILITIA OF THIS STATE TO MARCH TO ANY PART THEREOF, and continue as long as he may think necessary; and likewise may in consequence of an application of the executive of any of the United States, on an invasion or insurrection, or on apprehension of an invasion of such state, ☞ AT HIS DISCRETION order ANY NUMBER OF THE MILITIA, not exceeding one third part thereof, ☞ TO SUCH STATE; Provided, That they be not compelled to continue on duty out of this state more than forty days at any one time; that while in actual service, in consequence of being so called out, they shall receive the same pay and rations, and ☞ be subject to the same rules and regulations as the troops of the United States of America."*

New-Jersey has not been deficient in making similar provision for the public safety. Her militia law declares,

"That the commander in chief of this state, for the time being, may, in case of invasion or other emergency, ☞ WHEN HE SHALL JUDGE IT NECESSARY, order out ☞ any proportion of the militia of this state, to march to any part thereof, and continue as long as he may think it necessary, not exceeding two months."†

She imposes a heavy and burdensome fine on delinquents—a fine which the poorer classes cannot pay, and which, of course, inevitably compels them to the service.

"Any person refusing or neglecting to perform his tour of duty, or to procure a substitute, shall pay a fine of twenty dollars for every such neglect or refusal.‡

"If any militia man shall desert while he is on a tour of duty, he shall be fined in any sum not exceeding twenty dollars for every such offence; or may be imprisoned for any time not exceeding two months, at the discretion of a court martial; and if a non-commissioned officer, he shall also be degraded and placed in the ranks."§

I next proceed to state the law in Pennsylvania.—The same good sense that presided over the decision on this subject in the other states, is discernible here:

"Whenever it may be necessary to call into actual service any part of the militia, in case of rebellion, or of actual or threatened invasion, of this or any of the neighbouring states, then ☞ it shall and may be lawful for the governor to order into actual service, SUCH PART OF THE MILITIA, BY CLASSES, AS THE EXIGENCY MAY REQUIRE; provided, that the part so called, doth not exceed four classes of the militia of any brigade."‖

"If any militia man shall desert while he is on a tour of duty, ☞ he shall be fined thirty-two dollars for every such offence, and be obliged to march on the next tour of duty, under the same penalties as at first. If a non-commissioned officer shall so desert, he shall be degraded and placed in the ranks; shall pay a fine of thirty-six dollars; and be obliged to serve another tour as a private."¶

"The militia of this state, while in the actual service thereof, or of the United States, ☞ shall be subject to the same rules and regulations as the federal army."**

* Laws of the state of New-York, vol. I. page 512.
† Patterson's laws of New-Jersey, page 441.
‡ Idem, page 442. § Idem, page 443.
‖ Purdon's Abridgment of the Laws of Pennsylvania, p 381.
¶ Idem, p. 384. ** Idem, p. 386.

The little state of Delaware recognizes the same principles—the same rights—the same duties—of which I have shewn the recognition in so many other states.

"The governor shall have full power and authority, *in case of an invasion, rebellion, or insurrection within this state,* ☞ *or any of the neighbouring states, to call into service* ☞ *such part of the militia by classes, as to him shall seem necessary;* and in case of the absence of the governor of this state, on any insurrection, rebellion, or invasion, *the commanding officer of each brigade is hereby authorized and directed to issue his orders to call out such part of the militia as he may judge immediately necessary.*"*

The provisions of the militia law of Maryland are equally strong and unequivocal.

"In all cases where a militia man may be drafted to perform a tour of duty under the laws of this state, ☞ *he shall be considered as a soldier, and* ☞ *liable to all the duties as such, unless he shall furnish a substitute;* and the lieutenant-colonel of the regiment, or commanding officer of the extra battalion, as the case may be, to which he may belong, shall be the sole judges of the qualification of said substitute; and ☞ *may receive or reject him at their discretion.*"†

"*If a sudden invasion shall be made into any county in this state, or in case of an insurrection in any county, the commanding officer in such county is hereby* AUTHORISED AND REQUIRED *to order out* THE WHOLE, *or such part of his militia as he may think necessary, and in such manner as he may think best,* for repelling such invasion, or suppressing such insurrection; and shall call on the commanding officers of regiments in the adjacent counties, for such aid as he may think necessary; *who shall forthwith in like manner furnish the same.*"‡

By the militia law of the state of Georgia, every male citizen, who has resided within the state for *ten days*, if of the proper age, is subject to perform military duty.§ This carries the right of society to coerce the citizen to military duty in public defence, to the utmost extent.

The duty of the governor, in the case of insurrection or invasion, is as explicitly and unequivocally stated in the militia law of Georgia, as in the laws already quoted:—

"His excellency the governor is hereby empowered to assemble and embody ☞ *such part of the militia of the state as he may from time to time think necessary, to repel any invasion, insurrection, or rebellion,* which may happen within the same, and to order such officers to command the said militia as he may see fit."¶

Kentucky has been equally mindful of the great duty of making adequate provision for the public safety, with her sister states:

"*Every able-bodied male citizen, of this or any of the United States, residing in this state, who is of the age of eighteen and under forty-five,* shall be enrolled by the commanding officer of the company within whose bounds he may reside."**

* Laws of Delaware, (Wilmington, 1793,) p. 213.
† Kelty's Laws of Maryland, vol. II. 1798, chap. c.
‡ Ibid. § Digest of Laws of Georgia, page 460.
¶ Idem, page 465.
** Toulmin's Laws of Kentucky, p. 7[illegible].

"*The governor shall have power to call forth such parts of the militia as he may judge necessary, in time of war, invasion, or insurrection, or when the danger may be such that the public safety shall require it.*

"*The militia, when in the service of this state, shall be governed by the articles of war, which shall be in force in the continental army.*"

By the law of Rhode Island, like the others I have quoted, the militia, when in actual service, are regarded as soldiers, and subject to martial law—

"Whenever the military force of this state, or any part thereof, shall be called into actual service, ☞ *it shall be subject to the articles of war, prescribed by congress for the government of the troops of the United States.*"†

These are, as I have already observed, all the states whose statute laws I have been able to procure. They are, I presume, adequate to the purpose. It is not to be doubted, that similar provisions exist in all the others.

CHAPTER LXVII.

Power of Congress to call out the Militia. The usual mode of drafting oppressive, unequal, and unjust.

My second position is, "that the power of congress to call forth, and order the employment of, the militia, is as clearly established as any other power vested in that body."

The general defence of the nation is confided to congress. This is their incumbent duty. The means and power to perform this duty are vested in them by the constitution. They are authorised and empowered—

"To raise and support armies."

The exercise of this power has not been, nor can it be, called in question. They are further authorised and empowered—

"*To provide for calling forth the militia to execute the laws of the union, suppress insurrections, and repel invasions.*"

I beg the reader will carefully examine this clause over and over. It requires the most serious and sober reflection. Here is a clear, explicit and most unequivocal power given to the general government by the constitution of the United States, to call forth the militia in three specified cases. One is "*to repel invasion.*" The country was "*invaded,*" during the last war. And yet every attempt to carry this power into operation, in the mode most efficient and least burdensome, was opposed and defeated by men of high standing, great talents, and professing a sacred regard to the honour and interests of their country!!! And the whole

* Idem, p. 80.

† Public Laws of the State of Rhode Island and Providence Plantations. Providence, 1798. Page 440.

of the opposition rested on the absurd, the untenable ground of the measure being "unconstitutional." And this worthless pretext was blindly admitted and defended by a large portion of our citizens! It will be difficult for posterity to give credence to the existence of such idiotic folly on the part of their ancestors, who had scarcely put on record the modest declamation, that they were the most enlightened nation on the surface of the globe.

As a specimen of the declamation used on this subject, I annex a short extract from a speech delivered by Cyrus King, member of the house of representatives of the United States, from the state of Massachusetts.

"If what I have urged, will not induce you to arrest the progress of this bill, I appeal to you, I beseech you, as friends to humanity, to spare the tears which the passage of this bill will cause to flow! I appeal to you as fathers, by every endearing tie which binds you to your children, not to deprive the aged parent of the child of his youth! the support and solace of his declining years! lest you bring his gray hairs with sorrow to the grave! *I entreat you to make the case your own! suppose a darling child! an only son snatched from you by the scourge of war! in the language of grief and of nature, you would exclaim; "would to God I had died for thee, O Absalom, my son! my son!"*

This was the miserable rant by which our fathers and our mothers—our wives and our children—our towns and our cities were deprived of protection, and, but for the peace, might have been delivered defenseless to the enemy.

Mr. Miller, of New York was equally eloquent in his denunciation of this system. I lay before the reader a specimen of the *cogent* and *convincing* arguments he used:—

"*I object, sir, to the whole system of force and coercion: and contend that under this constitution you have no right to raise armies except by voluntary enlistment; and further, that if you had the right, it would not be discreet to exercise it.*

"The plan which gentlemen wish adopted is conscription! They call it *classification and penalty—classification and draft*—sir, *there is poison in the dish*; garnish it as you please, there is poison still. You call it *classification!* I stickle not for names—"a rose by any other name would smell as sweet." Is this classification? "Disguise thyself as thou wilt, slavery, still thou art a bitter draught." The times demand that things should be called by their right names—*this is conscription, and with features, more hideous, than are to be found in the exploded system of our unfortunate cousin of Elba.*

"By this system the people of these United States will be instantly and *forcibly* transformed into soldiers—the ordinary pursuits of life must be abandoned, for the perils and vexations of a camp! Our peaceful occupations must be forsaken. The merchant must quit his counting house; the farmer his plough; the mechanic his work shop; the professional man his pursuits—all, all must become soldiers!—Our sons and our brothers, those who are to be the "future men" of this country, instead of laying the foundation for future usefulness, must be subjected to the moral and physical evils of a camp. All the habits of domestic life must be annihilated, and all its endearments outraged or disregarded. The husband must be torn from his wife and children, and the child forcibly separated from the society and protection of his parents. I beseech gentlemen to pause before they venture upon a system like this.

"This plan [illegible] of the state governments; it is a direct infringement of their sovereignty; it concentrates all power in the general government, and deprives the states of their "necessary security." It does away all claim to personal freedom; it is a daring attempt upon the rights and liberties of this people.

"[illegible] the United States, with which they are to [illegible] on their [illegible]; and are subject to their exclusive jurisdiction and controul. *But the militia are the state troops, which congress have no power to raise.*—They are a force existing, known and acknowledged at the time of the adoption of this constitution; existing without the aid or concurrence of the general government. *The general power over the militia resides in the states; a particular authority* for objects defined, was carved out of that general power, and granted to the United States."

When the reader has attentively perused all this rhapsody, and is almost convinced of the frightful despotism which was preparing to swallow up our freedom and happiness, in order to calm the ebullitions of his indignation—to restore his tranquility—he has only to read two lines of the constitution granting the power, and dictating the duty of the general government, "*to call forth the militia, to repel invasion.*" Let him then ascertain the fact, that the country was actually *invaded* at the very time when Mr. Miller so confidently in the face of the constitution, dared to assert that "the militia are the state troops, which *congress have no power to raise.*" When he has proceeded thus far, he will soon be convinced that all the long, declamatory and inflammatory speeches on this subject, which occupied so many weeks of the time of congress, were mere "*sound and fury.*"

To return. The constitution further authorises the general government—

"To provide for organizing, arming, and disciplining the militia; and *for governing such part of them as may be employed in the service of the United States.*"

This last power is merely limited and qualified by the reservation, to the several states, of the appointment of officers, and of training the men. The limitation is in these words:

"Reserving to the states respectively the appointment of the officers, and the authority of training the militia, according to the discipline proposed by congress."

A calm and candid review of these clear delegations of power, cannot fail to result in a conviction, that in all cases of obstructions to the laws—of insurrection—or invasion—the right, the power, and the duty of congress, to order out the militia, is as clear a right, power, and duty, as ever were conveyed or ordained by any instrument, public or private. It follows, that the attempt to defeat this grant of power, was anti-federal and factious, and had a tendency to destroy the government.

I [illegible] proceed to prove, "that the existing mode of drafting the militia, is oppressive, unequal and unjust."

In nearly all the states, as we have seen, the governor is empowered, in certain specified cases, to call the militia into service, in such numbers and proportions as he may judge proper. He possesses plenary discretionary powers. He may raise the whole in three or four counties, or he may divide them equally among all the counties in the state.

This discretionary power is highly exceptionable on the ground of favouritism, and is in direct hostility with the general spirit of all our institutions, which universally define duties and limit powers with great precision. It will not, it cannot be denied, that it is liable to considerable abuse.

But I shall not consider the danger of its abuse. The discussion of this objection, great and powerful as it is, does not come within my present plan. I shall suppose the power exercised with sound judgment and strict impartiality, so far as the latter requisite is compatible with the present system. It is still liable to the most serious and solid objections. It is radically and incurably defective. Its operation is unjust, unequal, and oppressive. Let us examine how it is carried into operation.

Supposing there are ten counties in a state, each containing 10,000 militia—and that the presence of an invading foe induces the president to make a call upon the governor for a draft of 5,000 men. It is obvious, that the most equitable and impartial mode of drafting them, according to the present miserable system, will be, to make a requisition of 500 out of each county. But the call is generally made on two or three neighbourhoods, as near to the place of danger as possible, while the remainder of the state is wholly exempt. The extreme oppression and injustice of this mode is too palpable to require enforcement. And it is impossible to remove the radical injustice of this plan; for in whatever way they are drawn, the burden, the risk of health and life, the sacrifice of business, the expenses of a camp, and all the other disadvantages of military duty, which ought to be borne or paid for equally by 100,000 persons, falls exclusively on 5,000. It is impossible for the human mind to conceive of any system more unequal, more unjust, more absurd, or more contemptible. Five thousand citizens bear all the burden of military service, for the protection of 95,000, who neither run risk, incur expenses, nor suffer any inconvenience!

It is an arduous task to impress the public mind with a correct sense of the folly or absurdity of laws or customs, which have "*grown with the growth*" of society. This

renders it difficult, in all countries, to gain a fair or patient hearing for arguments against the established order of things, however contrary to reason, common sense, or common justice. But let us, in order to display the injustice of this wretched principle, extend it to the affair of taxation. This will render it more palpable and striking. Suppose a law were passed to oblige 5,000 men to pay all the taxes of 95,000 others, who were themselves to be totally exempt from taxation! What an uproar would it not excite! The clamour would be loud and general with the parties that suffered the injustice, who would by force resist the operation of it. Yet the injustice of such a law is far inferior to that of the existing militia system, to which we submit without murmur—and not merely submit without murmur, but were of late senselessly ready to rise in insurrection, to prevent any melioration of such vile oppression! I say inferior; because the burden of military service is far more oppressive than the burden of taxation. If this do not prove the propriety, truth, and justice of our claim to the title of "the most enlightened nation in the world," I am afraid it will never be established.

CHAPTER LXVIII.

Inefficiency of militia generally. Extravagantly expensive. General Washington's testimony on the subject full and complete.

My fourth position is, that "the force thus drafted is generally inefficient, and ruinously expensive."

At present, the militia are collected together in a disorderly and irregular manner. The materials are as discordant and incoherent as the mind can conceive. They are unaccustomed to discipline—they have very loose ideas on the subject of subordination. They have little experience—less military skill—little confidence in themselves—little in their officers—and their officers are not so void of justice as to lavish any large portion of confidence on them.*

* *To place any dependence on militia,* ☞ *is assuredly resting upon a broken staff*—men just dragged from the tender scenes of domestic life—unaccustomed to the din of arms—totally unacquainted with every kind of military skill; which being followed by a want of confidence in themselves, when opposed to troops regularly trained, disciplined, and appointed, superior in knowledge and superior in arms, makes them timid and ready to fly from their own shadows—besides the sudden change in their manner of living, (particularly in the lodging) brings on sickness in many, impatience in all, and *such an unconquerable desire of returning to their respective homes, that it*

Suppose them, thus assembled, thus officered, thus qualified—to encounter a disciplined foe of half their numbers, [illegible] in the open field. And we must take the open field into our calculation. Lamentable would be the issue. On the one side would be a band of hardened desperadoes, inured to slaughter—reposing full reliance in their officers—and marching forward with that confidence in themselves, which is the harbinger and presage of victory. On the other, men utterly undisciplined—distrusting each other, and distrusting themselves—and under officers chosen, in most cases, not for their military talents and endowments, but for companionable qualities, which, however agreeable in the social circle, are of no avail in the tented field.

The mind sickens at the contemplation of the result. Nothing short of a miracle, can render it prosperous to the militia. The chances are immensely against them. They may be said literally to be led to slaughter—the result being a most frightful carnage.

There is a further consideration, which greatly enhances the horror of this contemplation. The materials of the two hostile bodies are as different as can be conceived. On one side are to be seen in the ranks, some of the most invaluable of our citizens, men with large families, whose whole future happiness depends on their preservation—future Washingtons, or Franklins, or Livingstons, or Dickinsons. On the other, a congeries of the refuse of society in all parts of Europe. What a contrast! It is in fact a game of hazard, at which guineas are staked against cents—and at which it is impossible ever to equalize the stakes.

That some of the best men in the world are destitute of personal courage—and that some of the worst are abundantly supplied with it, is well known to every man who has even but superficially reflected on human nature. Courage is a constitutional quality, which, when not imparted by nature, can hardly ever be acquired. And it therefore follows, that in these compulsory embodyings of militia, there will be often found men who, however useful they may be in civil life, are wholly unsuitable for the camp. Inability to pay for a substitute, or a false shame, may lead many of these men to obey the summons to the field. And when the clangor of arms sounds, nature, whose voice has been disregarded, asserts her sway. Ten men of this description may by spreading a panic cause the defeat of an entire army.

not only produces shameful and scandalous desertions among themselves, but infuses the like spirit into others." General Washington's letters, London edition, vol. I. page 270.

In political economy, as in all other sciences, it may be laid down as an incontrovertible maxim, that wherever there is a strong and striking opposition between fact and theory, the latter is a fallacious guide, which cannot fail to lead its votaries astray. When theories are supported by facts, they rarely mislead.

The American revolution is fraught with facts on the subject of the militia, which hold out the most unerring admonitions.

The letters of General Washington to congress are replete with complaints of the ruinous results, and of the inefficiency of the militia system of the United States. They fully prove, moreover, that the cost of militia service is extravagantly high—and that a dependence on militia for regular or continued service, is attended with the utmost danger.

There is no authority on any subject whatever, more commanding, or more decisive, than that of General Washington, upon militia defence. In no nation was it ever, as far as I know, more fully and completely essayed, than in the United States, during the war that eventuated in the acknowledgment of their independence. No man, therefore, ever had a fairer opportunity of judging on this topic—and there is no man on whose judgment more reliance could be placed.

As this is a subject of vital importance to this nation—as our own happiness, and that of our posterity, as well as the safety and independence of the country may, and probably will, depend upon a correct system of defence, I have judged it proper to produce the most ample display of the general's experience on the subject.

An examination of the dates will shew that the evils commenced with the very dawn of the revolution. For the first complaint of the general is contained in a letter, dated July 10, 1775, not two months after the battle of Lexington.

July 10th, 1775

"All the general officers agree, that *no dependence can be put on the militia, for a continuance in camp, or regularity and discipline during the short time they may stay.*"*

July 14th, 1775.

"From some authentic and later advices of the state of the ministerial troops, and *the great inconvenience of calling in the militia in the midst of harvest*, I have been induced for the present to waive it."†

* *Official Letters to the honourable the American Congress, written during the war between the United States and Great Britain, by his excellency General Washington.* London, 1795: vol. I. p. 7.

† Idem, page 9.

February 9th, 1776.

"Though I am sensible that we never have, since that period, been able to set upon the offensive, and at times not in a condition to defend, yet *the cost of marching home one set of men—bringing in another—the loss and waste occasioned by the first—the repairs necessary for the second—with a thousand incidental charges* and inconveniences which have arisen, and which it is scarcely possible either to recollect or describe—amount *to near as much as the keeping up a respectable body of troops the whole time, ready for any emergency, would have done.* To bring men well acquainted with the duties of a soldier, requires time. To bring them under proper discipline and subordination, not only requires time, but is a work of great difficulty; and in this army, where there is so little distinction between the officers and soldiers, requires an uncommon degree of attention."*

"Again, men of a day's standing will not look forward; and from experience we find, that, *as the time approaches for their discharge, they grow careless of their arms, ammunition, camp utensils, &c.* Nay, even the barracks themselves have felt uncommon marks of wanton depredation, and lay us under fresh trouble and additional expense in providing for every fresh set, when we find it next to impossible to procure such articles as are absolutely necessary in the first instance. To this may be added the reasoning which new recruits must have to a camp, and the loss consequent thereupon. But this is not all—*men, engaged for a short limited time only, have the officers too much in their power;* for, to obtain a degree of popularity, in order to induce a second enlistment, a kind of familiarity takes place, which brings on a relaxation of discipline, unlicensed furloughs, and other indulgences, incompatible with order and good government."†

"There are yet but few companies of the militia come in. *This delay will,* I am much afraid, *frustrate the intention of their being called upon, as the season is slipping fast away when they may be of service.*‡

April 4th, 1776.

"I heartily wish the money had arrived sooner, that the militia might have been paid as soon as their time of service expired. The disappointment has given them great uneasin as, and *they are gone home much dissatisfied.*"§

"I would also mention to congress, that the militia regiments which were last called upon, in making up their abstracts, charged pay—the officers, from the time they received orders to raise companies—and the privates, from the time they respectively engaged to come or were called upon, though they did not march for a considerable time after—some not within three, four, to twenty days, during all which they remained at home about their own private affairs, without doing any thing else than "preparing for the march," as they say, by way of plea."¶

July 17th, 1776.

"The Connecticut light-horse, mentioned in my letter of the 11th, notwithstanding their then promise to continue here for the defence of this place, are now discharged, and are about to return home—*having peremptorily refused all kind of fatigue duty, or even to mount guard, claiming exemption as troopers.* Though their assistance is much needed, and might be of essential service in case of an attack, yet I judged it advisable, on their application and claim of such indulgence, to discharge them; as granting them would set an example to others, and might produce many ill consequences. The number of men included in the last return, by this is lessened about five hundred."**

August 18th, 1776.

"They [the British] mean to procrastinate their operations for some time,

* Idem, page 87. † Idem, page 88. ‡ Idem, page 91.
§ Idem, page 118. ¶ Idem, page 120. ** Idem, page 198.

trusting that the militia which have come to our succour will soon become tired and return home, as it has been found with them."*

August 19th, 1776.

"Governor Trumbull, in a letter of the 13th, advises me that Ward's regiment, in the service of the states, was on the march to this army, and that he and his council of safety had in the whole levied fourteen militia regiments to reinforce us. Three of them have arrived, and amount to about a thousand and twenty men. When the whole come in, we shall be on a much more respectable footing than we have been; but I greatly fear, if the enemy delay their attempt for any considerable time, *they will be extremely impatient to return home; and if they should, we shall be reduced to distress again.*"†

September 24, 1776.

"The militia, instead of calling forth their utmost efforts to a brave and manly opposition in order to repair our losses, *are dismayed, intractable, and impatient to return. Great numbers of them have gone off—in some instances almost by whole regiments, by half ones, and by companies at a time.* This circumstance, of itself, independent of others, when fronted by a well appointed enemy, superior in number to our whole collected force, would be sufficiently disagreeable—but, when *their example has infected another part of the army—when their want of discipline, and refusal of almost every kind of restraint and government, have produced a like conduct but too common to the whole, and an entire disregard of that order and subordination necessary to the well doing of an army*, and which had been inculcated before, as well as the nature of our military establishments would admit of—our condition is still more alarming; and with the deepest concern I am obliged to confess my want of confidence in the generality of the troops.

"All these circumstances fully confirm the opinion I ever entertained, and which I more than once in my letters took the liberty of mentioning to congress, that *no dependence could be put on militia, or other troops* than those enlisted and embodied for a longer period than our regulations heretofore have prescribed. I am persuaded, and as fully confirmed as I am of any one fact that has happened, that our liberties must of necessity be greatly hazarded, if not entirely lost, if their defence is left to any but a permanent standing army—I mean one to exist during the war. Nor would the expense incident to the support of such a body of troops as would be competent to almost every exigency, far exceed that which is daily incurred by calling in succour, and new enlistments, which, when effected, are not attended with any good consequences. Men who have been free, and subject to no controul, cannot be reduced to order in an instant; and the privileges and exemptions they claim and will have, influence the conduct of others; and *the aid derived from them is nearly counterbalanced by the disorder, irregularity, and confusion, they occasion.*"‡

September 4th, 1776.

"The militia, under various pretences, of sickness, &c. *are daily diminishing*; and in a little time, I am persuaded, *their number will be very inconsiderable.*"§

September 8th, 1776.

"The militia from Connecticut is reduced from 6000 to 3000, and *in a few days will be merely nominal.* The arrival of some Maryland troops, &c. from the flying camp, has in a great degree supplied the loss of men; but the ammunition they have carried away will be a loss sensibly felt. *The impulse for going home was so irresistible, it answered no purpose to oppose it.* Though I would not discharge, I have been obliged to acquiesce; and *it affords one more melancholy proof, how delusive such dependencies are.*"¶

September 20th, 1776.

"It is a melancholy and painful consideration to those who are concerned in the work, and have the command, to be forming armies constantly, and *to*

* Idem, page 232. † Idem, page 233. ‡ Idem, page 244.
§ Idem, page 246. ¶ Idem, page 255.

be left by troops just when they begin to deserve the name, or perhaps at a moment when an important blow is expected."*

September 24th, 1776.

"The thirteen militia regiments from Connecticut being reduced to a little more than 700 men, rank and file, fit for duty, *I have thought proper to discharge the whole, to save the states the immense charge that would arise for officers' pay.* There are many militia, too, that have just come in, and on their way from that state, none of whom are provided with a tent, or a single camp utensil. This distresses me beyond measure."†

September 24th, 1776.

"Again: men accustomed to unbounded freedom and no controul, cannot brook the restraint which is indispensably necessary to the good order and government of an army; without which licentiousness and every kind of disorder reign. To bring men to a proper degree of subordination is not the work of a day, a month, or even a year: and, unhappily for us and the cause we are engaged in, the little discipline I have been labouring to establish in the army under my immediate command is in a manner done away by having such a mixture of troops as have been called together within these few months."‡

"Relaxed and unfit as our rules and regulations of war are for the government of an army, *the militia* (those properly so called, for of these we have two sorts,—the six months' men, and those sent in for temporary aid) do not think themselves subject to them, and therefore take liberties the soldier is punished for. This creates jealousy; jealousy begets dissatisfactions; and these by degrees ripen into mutiny, keeping the whole army in a confused and disordered state—rendering the time of those who wish to see regularity and good order prevail, more unhappy than words can describe. Besides this, such repeated changes take place, that all arrangement is set at nought, and the constant fluctuation of things deranges every plan as fast as adopted. These, sir, congress may be assured are but a small part of the inconveniences which might be enumerated, and attributed to militia; but there is one that merits particular attention, and *that is the expense.* CERTAIN I AM, THAT IT WOULD BE CHEAPER TO KEEP FIFTY OR A HUNDRED THOUSAND IN CONSTANT PAY, THAN TO DEPEND UPON HALF THE NUMBER, AND SUPPLY THE OTHER HALF OCCASIONALLY BY MILITIA. The time the latter are in pay before and after they are in camp assembling and marching—the waste of ammunition, the consumption of stores, which, in spite of every resolution or requisition of congress, they must be furnished with or sent home, added to other incidental expenses consequent upon their coming and conduct in camp—surpasses all idea, and destroys every kind of regularity and economy which you could establish among fixed and regular troops, and will, in my opinion, prove (if the scheme is adhered to) THE RUIN OF OUR CAUSE"§

"The jealousies of a standing army, and the evils to be apprehended from one, are remote; and, in my judgment, situated and circumstanced as we are, not at all to be dreaded: but the consequence of wanting one, according to my ideas, formed from the present view of things, *is certain and inevitable ruin.* ☞ *For if I was called upon to declare upon oath, whether the militia have been most serviceable or hurtful, upon the whole, I should subscribe to the latter.* I do not mean by this, however, to arraign the conduct of congress: in so doing, I should equally condemn my own measures, if I did not my judgment: *but experience, which is the best criterion to work by, so fully, clearly, and decisively reprobates the practice of trusting to militia, that* NO MAN WHO REGARDS ORDER, REGULARITY, AND ECONOMY, OR WHO HAS ANY REGARD FOR HIS HONOUR, CHARACTER, OR PEACE OF MIND, WILL RISK THEM UPON THIS ISSUE. An army formed by good offi-

* Idem, page 265. † Idem, page 267. ‡ Idem, page 271.
§ Idem, page 272.

cers moves like clock work: but there is no situation on earth less enviable, nor more distressing, than that of a person who is at the head of troops who are regardless of order and discipline, and who are unprovided with almost every necessary. In a word, the difficulties which have for ever surrounded me since I have been in the service, and kept my mind constantly upon the stretch—the wounds which my feelings (as an officer) have received by a thousand things which have happened contrary to my expectations and wishes, added to a consciousness of *inability to govern an army composed of such discordant parts*, and under such a variety of intricate and perplexing circumstances, induce not only a belief, but a thorough conviction in my mind, that it will be impossible (unless there is a thorough change in our military system) for me to conduct matters in such a manner as to give satisfaction to the public, which is all the recompense I aim at, or ever wished for."*

September 30, 1776.

"By a letter received from the committee of safety in the state of New Hampshire, I find a thousand of their militia were about to march the 24th ultimo, to reinforce this army, in consequence of the requisition of congress. Previous to their march, general Ward writes me, he was obliged to furnish them with five hundred pounds of powder, and a thousand pounds of musket ball; and I have little reason to expect that they are better provided with other articles than they were with ammunition. In this case, they will only add to our present distress, which is already far too great, and become disgusted with the service, ☞ THOUGH THE TIME THEY WERE ENGAGED FOR IS ONLY TILL THE FIRST OF DECEMBER—this will injure their enlisting for a longer time, if not wholly prevent it."†

October 4th, 1776.

"Upon the present plan, I plainly foresee an intervention of time between the old and new army, which must be filled up with militia (if to be had) ☞ WITH WHOM NO MAN WHO HAS ANY REGARD FOR HIS REPUTATION, CAN UNDERTAKE TO BE ANSWERABLE FOR CONSEQUENCES."‡

October 31*st*, 1776.

"*Our army is decreasing fast. Several gentlemen, who have come to camp within a few days, have observed large numbers of militia returning home on the different roads.*"§

November 9th, 1776.

"I have little or no reason to expect that the militia now here, will remain a day longer than the time they first engaged for. I have recommended their stay, and requested it in general orders. General Lincoln and the Massachusetts commissioners are using their interest with those from that state. But as far as I can judge, we cannot rely on their staying.

"I have no assurances that more than a very few of the troops composing the flying camp *will remain after the time of their engagement is out*: so far from it, I am told, that ☞ *some of general Ewing's brigade who stand engaged to the first of January, are now going away.*"¶

December 1*st*, 1776.

"The enemy are fast approaching—some of them are now in sight. ☞ *All the men of the Jersey flying camp under general Heard, being applied to, have refused to continue longer in service.*"**

Trenton, December 3*d*, 1776.

"I look out earnestly for the reinforcements from Philadelphia. I am in hopes that if we can draw a good head of men together, it will give spirits to the militia of this state, ☞ *who have as yet afforded me little or no assistance; nor can I find they are likely to do much.*"††

* Idem, page 273. † Idem, page 279. ‡ Idem, page 282.
§ Idem, page 301. ¶ Idem, page 324. ** Idem, page 328.
†† Idem, page 330.

Trenton, December 5th, 1776.—

"Sorry I am to observe, however, that *the frequent calls upon the militia of this state*, the want of exertion in the principal gentlemen of the country, or a fatal suppiness and insensibility of danger till it is too late to prevent an evil that was not only foreseen, but foretold, *have been the causes of our late disgraces.*

"*If the militia of this state had stepped forth in season*, (and timely notice they had) *we might have prevented the enemy's crossing the Hackinsac*, although without some previous notice of the time and place, it was impossible we have done this at the North river.

"At Hackinsac our force was insufficient, because a part was at Elizabeth-town, Amboy, and Brunswick, guarding a coast which I thought most exposed to danger; and at Brunswick, because I was disappointed in my expectations of militia, and because on the day of the enemy's approach (and probably the occasion of it) the time of the Jersey and Maryland brigades' service expired; ☞ NEITHER OF WHICH WOULD CONSENT TO STAY AN HOUR LONGER.

"These, among ten thousand other instances, might be adduced to shew the disadvantages of short enlistments, and the little dependence upon militia in times of real danger.

"My first wish is, that congress may be convinced of *the impropriety of relying upon the militia*, and of the necessity of raising a larger standing army than that they have voted. *The saving in the articles of stores, provisions, and in a thousand other things, by having nothing to do with militia, unless in cases of extraordinary exigency, and such as could not be expected in the common course of events, would amply support a large army, which, well officered, would be daily improving, instead of* ☞ CONTINUING A DESTRUCTIVE, EXPENSIVE, and DISORDERLY MOB. I am clear in opinion, that if 40,000 men had been kept in constant pay since the first commencement of hostilities, and the militia had been excused doing duty during that period, the continent would have saved money. When I reflect on the losses we have sustained for want of good troops, the certainty of this is placed beyond a doubt in my mind. In such case, the militia, who have been harassed and tired by repeated calls upon them (and farming and manufactures in a manner suspended) would upon any pressing emergency have run with alacrity to arms; whereas the cry now is, "*they may as well be ruined in one way as another*," *and with difficulty they are obtained.* I mention these things, to shew, that, in my opinion, ☞ *if any dependence is placed upon militia another year, congress will be deceived.* When danger is a little removed from them, they will not turn out at all. When it comes home to them, the well affected, instead of flying to arms to defend themselves, are busily employed in removing their families and effects—whilst the disaffected are concerting measures to make their submission, and spread terror and dismay all around, to induce others to follow the example.—Daily experience and abundant proofs warrant this information."*

December 16th, 1776.

"*That the militia are not to be depended on, or aid expected from them but in cases of the most pressing emergency*, is not to be doubted. The first of these propositions is unquestionable: and fatal experience has given her sanction to the truth of the latter. ☞ *Indeed their lethargy of late, and backwardness to turn out at this alarming crisis, seem to justify an apprehension that nothing can bring them from their homes.* For want of their assistance, a large part of Jersey has been exposed to ravage and to plunder; nor do I know that Pennsylvania would share a better fate, could general Howe effect a passage across the Delaware with a respectable force. These considerations have induced me to wish that *no reliance, except such as may arise from necessity, should ever be had on them again*; and to make further mention to

* Idem, page 333.

congress of the expediency of increasing their army. I trust this measure will meet their earliest attention."*

December 20th, 1776.

"Short enlistments, and a mistaken dependence upon militia, have been the origin of all our misfortunes, and the great accumulation of our debt."†

"We find, sir, that the enemy are daily gathering strength from the disaffected. This strength, like a snow-ball, by rolling, will increase, unless some means can be devised to check effectually the progress of the enemy's arms. Militia may possibly do it for a little while: but in a little while also, ☞ *the militia of these states which have been frequently called upon,* ☞ *will not turn out at all*, or, if they do, it will be with so much reluctance and sloth, as to amount to the same thing—instance New Jersey! witness Pennsylvania!—could any thing but the river Delaware have saved Philadelphia! Can any thing (the exigency of the case indeed may justify it) be more destructive to the recruiting service, THAN ☞ GIVING TEN DOLLARS BOUNTY FOR SIX WEEKS' SERVICE OF THE MILITIA, ☞ WHO COME IN YOU CANNOT TELL HOW—☞ GO YOU CANNOT TELL WHEN—☞ AND ACT YOU CANNOT TELL WHERE—☞ CONSUME YOUR PROVISIONS—☞ EXHAUST YOUR STORES, AND ☞ LEAVE YOU AT LAST AT A CRITICAL MOMENT.

"These, sir, are the men I am to depend upon, ten days hence: this is the basis on which your cause will and must forever depend, till you get a large standing army sufficient of itself to oppose the enemy."‡

January 1st, 1777.

"After much persuasion, and the exertions of their officers, half or a greater proportion of those from the eastward have consented to stay six weeks on a bounty of ten dollars. I feel the inconveniency of this advance, and I know the consequences that will result from it—but what could be done? Pennsylvania had allowed the same to her militia—the troops felt their importance, and would have their price."§

January 5th, 1777.

"Their large picquets, advanced towards Trenton—their great preparations, and some intelligence I had received, added to their knowledge that *the first of January brought on a dissolution of the best part of the army*—gave me the strongest reasons to conclude that an attack upon us was meditating."¶

January 7th, 1777.

"The severity of the season has made our troops, especially the militia, extremely impatient, and has reduced the number very considerably. Every day more or less leave us."**

January 19th, 1777.

"☞ *The fluctuating state of an army composed chiefly of militia, bids fair to reduce us to the situation in which we were some little time ago*—that is, of scarce having any army at all—except reinforcements speedily arrive. One of the battalions from the city of Philadelphia goes home to-day, and the other two only remain a few days longer upon courtesy. The time for which a country brigade under general Mifflin came out is expired: and they stay from day to day by dint of solicitation—their numbers much reduced by desertions."††

"As militia must be our dependence till we can get the new army raised and properly arranged, I must entreat you to continue your endeavours with the states of Pennsylvania, Maryland, and Virginia, to turn out every man they possibly can, and for some time longer than they generally have stipulated for. ☞ IF THEY AGREE FOR A MONTH or any limited time, it should commence from the time they actually join the army, and not from

* Idem, page 346. † Idem, page 350. ‡ Ibid.
§ Idem, vil. II. page 2. ¶ Idem, page 3.
** Idem, page 6. †† Idem, page 10.

the time they leave their homes; otherwise the marching backwards and forwards consumes the term of engagement."*

January 22d, 1777.

"The necessity that we have been and are now under, of calling in and arming the militia, scatters our armory all over the world in a manner. Their officers are so irregular, that they generally suffer their men to carry home every thing that is put into their hands, which is forever lost to the public."†

February 20th, 1777.

"At this time we are only about four thousand strong—a force you will suppose, unequal to a successful opposition, if they were not militia, and far too small for the exigencies of our affairs. It is impossible to obtain exact returns, though they are daily called for—owing to the frequent and almost constant departure of some of the corps."‡

Feb. 28th, 1777.

"I was in hopes, that, by the time the militia who are now in service would be discharged, we should have had a considerable number of the new levies in the field: but, though I have reports from all quarters of the great success of the recruiting, I cannot get a man into the service. General Johnson's militia all go the 5th of March (many are gone already): and general Lincoln's on the 15th. These two bodies form so considerable a part of our force, that, unless they are replaced, ☞ *I shall be in a manner destitute.*"§

Morristown, March 14th, 1777.

"What prospect there may be of immediate succours from other quarters, I know not: but ☞ *from the militia of this state I cannot expect to derive much more aid.* Those who are well affected have been so frequently called from their homes, that they are tired out, and almost profess an abhorrence of the service."¶

"By the paymaster's report, the commissary here requires an immediate draft for a hundred thousand: and the militia returning and about to leave camp a hundred and twenty thousand more. ☞ *The expense of calling on them so frequently is almost incredible.*"**

Morristown, March 26th, 1777.

"I urged governor Trumbull in a letter of the 6th inst. to send two thousand of his militia to the same place. But sorry I am to observe, ☞ *the militia have got tired.*"††

"For want of proper coercive powers, from disaffection and other causes—☞ *the militia of this state [New Jersey] are not to be depended upon.*—☞ *They are drawn out with difficulty, and* ☞ *at a most enormous expense*, as their accounts will shew: ☞ THEY COME, YOU CAN SCARCE TELL HOW: ☞ THEY GO, YOU HARDLY KNOW WHEN. ☞ IN THE SAME PREDICAMENT ARE THOSE OF PENNSYLVANIA."‡‡

"Small as our present force is, it will be reduced in a few days, by the going off of the Jersey three-months-men, the Cecil county militia, and the Virginia volunteers, all of whom claim discharges next month."§§

April 28th, 1777.

"So early as the 6th of March I wrote to governor Trumbull, earnestly requesting two thousand militia to be sent to general Mc Dougal, to be employed at Peekskill and on the communication in West-Chester county, ☞ *for six weeks.* With this requisition he most readily complied, so far as his orders were necessary, and (I am certain) his influence would extend. This I have repeated, and this supply he has exerted himself to furnish: yet

* Idem, page 11. † Idem, page 14. ‡ Idem, page 31.
§ Idem, page 36. ¶ Idem, page 42. ** Idem, page 44.
†† Idem, page 46. ‡‡ Idem, page 47. §§ Idem, page 48.

so ineffectual have his endeavours been, that not more than eight hundred had come out by general Mc Dougal's return on the 17th instant."*

May 12th, 1777.

"I would observe, if the militia are called out, it should be for a fixed determinate time: for though they will certainly return when that expires, yet that is more tolerable than for them to go off in parties every day as their whim and caprice suggest—which has always been the case when the time is not stated. I would also observe, if it is possible, they should be engaged to march out of their states, if ordered. If their service is located, they will move with great reluctance, if they move at all."†

June 2d, 1777.

"The shameful deficiency in all our armies affords but too just grounds for disagreeable apprehensions: if the quotas assigned the different states are not immediately filled, we shall have every thing to fear. ☞ *We shall never be able to resist their force, if the militia are to be relied on:* nor do I know whether their aid, ☞ *feeble and insufficient as it is, is much to be expected.*"‡

September 7th, 1777.

"In respect to the militia requested, [of Jersey] his excellency is doubtful whether they can be obtained: for gov. Livingston, by a late letter, informs, that he had no expectation that more than three hundred of the thousand called for to garrison the posts of the Highlands, would march, notwithstanding he had issued orders for that purpose; and that three weeks would probably elapse before that number went."§

October 7th, 1777.

"Since the action, ☞ *general Forman's brigade of Jersey militia has quitted us.* The men began to be uneasy at their situation, and desirous to return home: and as, by some intelligence from general Dickinson, there was reason to imagine there might be a call for their services in the Jerseys, it was thought expedient to gratify their desire."¶

October 13th, 1777.

"I will only observe, that ☞ THE CONSEQUENCES OF CALLING THE MILITIA INTO THE FIELD IN THE COURSE OF THE WAR HAVE BEEN SO SEVERELY AND RUINOUSLY FELT, THAT I TRUST OUR VIEWS WILL NEVER BE TURNED TO THEM BUT IN CASES OF THE GREATEST EXTREMITY."**

November 1st, 1777.

"*The militia from Maryland and Virginia are no longer to be counted on;* all the former, except about two hundred, are already gone; and a few days, I expect, will produce the departure of the whole or chief part of the latter, from the importunate applications which some of them have made."††

"Agreeable to my expectations, ☞ *the [Virginia] militia are gone:* so that we have none now in aid of the continental troops but those of this state [Pennsylvania] mentioned in the return, and a few from Maryland."‡‡

"The militia of this state, supposing they should be tolerably vigorous in their exertions, will not be equal to the task: at least it will be difficult, if not impracticable, for them to do it. ☞ *It is to be wished that such as can be drawn out may be engaged to serve* ☞ THREE MONTHS, or ☞ TWO AT LEAST, (if it can be effected) after their arrival in camp; and that a mode could be adopted to supply their places with others at the expiration of their term, should the exigency of our affairs require it. A time for their continuance should be fixed, or ☞ *they will always be uneasy and pushing off;* and the longer circumstances will admit it to be, the better: for, *after the period occurs, for which they come,* ☞ *it will be impossible to detain them a moment.*"¶¶

* Idem, page 64. † Idem, page 75. ‡ Idem, page 86.
§ Idem, page 163. ¶ Idem, page 180. ** Idem, page 189.
†† Idem, page 197. ‡‡ Idem, page 200. ¶¶ Idem, page 201.

A perusal of the preceding extracts can hardly fail to shake the faith of the most strenuous advocates for reliance on militia for general defence. Never was any point more ably or convincingly enforced. The immense importance of the subject—the mighty errors that prevail on it—and the ruinous consequences these errors may entail on us—will, I trust, fully justify me for such long details.

The following positions are clearly and irresistibly established:

1. That the expense of militia is exorbitantly great.

2. That they cannot be reduced to that strictness of discipline which is indispensibly necessary in all armies.

3. That the period of service is so short, that it expires before they can acquire military skill.

4. That whatever be the emergency, when the period of service has expired, the militia cannot be retained in service, without solicitation utterly destructive of subordination.

I am well aware, that there are illustrious exceptions to these observations. The militia have, in many instances, made a grand and glorious display of all the military virtues, in as high a degree as the bravest veterans. They have defeated equal and superior numbers of troops of the latter description: witness Plattsburgh, New Orleans, &c. But these cases do not form the rule. They are exceptions. And were any person to produce me instances to invalidate my positions, I could out-number them very considerably. But I studiously draw a veil over the subject. To any man of reason and common sense, who reflects on the mode of selection, or who inspects a body of drafted militia, it must be obvious, that the mode is radically wrong.

CHAPTER LXIX.

Conscription or Classification of Militia, to fill up the Army, a measure of the American revolution. I lay borrowed by Bonaparte. General Knox's plan.

I now undertake to establish my fifth position, "that the system of classification is the most impartial, the most efficacious, and the least oppressive mode of calling the militia into service, of any of the plans that have ever been devised."

This mode of calling the militia into service, applies to, and bears equally upon, the whole body of the militia throughout the nation, without exception. This is a cha-

racteristic of impartiality and justice, peculiar to this system; and had it no other advantage, would entitle it to a decided preference over every other.

That it is most efficacious is equally clear. The service is entirely voluntary. No man need serve who does not find himself qualified, and who has any aversion whatever to the service. It is needless to prove, as it must be self-evident to the most superficial observer, that there is an incalculable difference in point of efficiency between any number of men who are drafted by lot, and forced to serve, whether they choose or not, and the same number of men who enter the service of their own free will.

That this system is the least oppressive, is equally indisputable. According to the prevailing militia systems, every man drafted must either serve, or send a substitute at his own individual expense. In all the states, heavy, and, to the poor, ruinous fines, are imposed on delinquents. Thirty-three dollars, which is the fine in Massachusetts, is an enormous sum to a poor person, which forces him into the service, however reluctant or unfit for duty. Whereas, according to the classification plan, all the persons liable to military service throughout the state, or states, as the case may be, contribute their respective quotas towards paying those who may offer their services, or who may be enlisted, if enlistment be necessary, which it rarely will be.

My sixth proposition is, "that the classification system prevailed during the revolution."

All that is necessary to prove this, is to refer the reader to the following extracts from the laws of Pennsylvania, which were similar in substance to those enacted in the other states.

"And be it further enacted by the authority aforesaid, That the commissioners of the city and several counties of this state respectively, or any two of them, shall direct the assessors of the several townships, wards, and districts, in the said city and counties respectively, to meet on or before the first day of February next, at the usual place of holding courts in the said city and counties respectively, or at such other place or places where the said commissioners shall think most convenient, and shall then and there, in conjunction with the said assessors, *proceed to class the taxable persons and property* within the said city and counties respectively, in such manner that the said property, together with a proportionable sum on all taxable single freemen, shall be divided into as many equal parts as the quota of men, which the said city and counties respectively are by this act required to enlist, shall consist of, paying due regard to the ease and convenience of the inhabitants, by including those who reside near each other within the same class; and shall transmit to the several classes, by persons by them to be appointed for that service, ☞ *an order in writing, under the hands of the said commissioners, or any two of them, with a duplicate annexed, containing the names of each and*

every person composing the same, requiring each of the said classes ☞ TO ENLIST DURING THE WAR, AND DELIVER TO THE PROPER OFFICER, ONE ABLE BODIED RECRUIT WITHIN FIFTEEN DAYS THEREAFTER."*

"And be it further enacted by the authority aforesaid, That the commissioners of the city and several counties of this state, respectively, or any two of them, shall forthwith transmit to the several classes, classed by virtue of an act of the assembly of this state, entitled, "An act to complete the quota of the federal army assigned to this state," passed the twenty third day of December, one thousand seven hundred and eighty, by persons to be by them appointed for that service, an order in writing under their hands, with a duplicate annexed, containing the names of each and every person composing such class, *requiring each of the said classes to enlist for the term of eighteen months, as aforesaid, and* DELIVER TO THE PROPER OFFICER, ONE ABLE BODIED RECRUIT WITHIN FIFTEEN DAYS.

"And be it enacted by the authority aforesaid, That ☞ *if any class or classes shall neglect or refuse to enlist one able bodied recruit as aforesaid,* within the time limited and directed, or to make return thereof to the assessors of the proper township, ward, or district, it shall and may be lawful for the said commissioners, or township, ward, or district assessors, or any of them, and they are hereby authorized and required to enlist for the term aforesaid, and deliver to the proper officer one able bodied recruit in behalf of such class or classes, respectively; and that it shall and may be lawful for the said commissioners, township, ward, or district assessors, or either of them, where such neglect or refusal shall happen, to proceed and levy, in the manner directed by the laws now in force for levying and collecting other public taxes, on the class or classes so neglecting or refusing, the sum agreed to be paid by the said commissioners, township, ward, or district assessors, or any of them, to the said recruit, and the reasonable expenses accruing thereupon, in proper proportions, according to the last public tax levied therein; which they are hereby enjoined and directed to do within two days after such recruit shall be enlisted.

"Be it further enacted by the authority aforesaid, That the commissioners of the several counties, respectively, shall provide and keep a book, into which they shall enter in numerical order the several delinquent classes, as they shall be returned to them, and shall enlist recruits for the said delinquent classes, according to their respective numbers, and in like manner levy and collect the sums imposed on them respectively by this act."†

By these laws, each class was obliged to furnish an able bodied recruit—either one of their own number, or a person to be enlisted by them, and at their joint expense—which is precisely the idea of the secretary of state and Mr. Giles.

This is, I presume, conclusive. This relieves the system of classification from the odium attached to it as a discovery of the prolific brain of Bonaparte. His inventive powers have had more credit in this respect than they deserve. He has taken the plan at second hand from the sages and heroes of the revolution.

* Laws of Pennsylvania, 1780, chap. cxci. page 428.

† Idem, page 501.

My next point is to prove, "that the classification or conscription system, most elaborately matured by General Knox, and stamped with the seal of General Washington's approbation, was more strict in its provisions than any of the recent plans."

General Knox addressed his system to President Washington. It bears date, January 18, 1790—and the letter which prefaces it, has the following introduction:

"Having submitted to your consideration, a plan for the arrangement of the militia of the United States, which I had presented to the late congress of the United States, and you having approved the general principles thereof, *with certain exceptions*, I now respectfully lay the same before you, *modified according to the alterations you were pleased to suggest.*"

From this plan, approved, as we see, and submitted to congress by General Washington, I submit an extract, amply adequate to prove, that it bore the essential features which belong to the system of defence which has been handed down by the folly and madness of party. In fact, it was much more strict and severe in its details, than either of those digested by the secretary at war or Mr. Giles—that enacted in New York—or the one rejected by the sapient legislature of Pennsylvania. None of the recent plans contemplated service beyond 45 years—whereas, General Knox carried his views to a third class, to be composed of citizens between 46 and 60 years. His plan likewise contemplated compulsory service of the mariners, who, as we shall see, were to be subject to conscription.

Extract from General Knox's plan for the general arrangement of the Militia of the United States, submitted to Congress by General Washington, January 1790, and published by order of the House of Representatives of the United States.

"An energetic national militia is to be regarded as the capital security of a free republic, and not a standing army, forming a distinct class in the community.

"The period of life in which military service shall be required of the citizens of the United States, to commence at 18, and terminate at the age of 60 years.

"The men comprehended by this description, exclusive of such exceptions as the legislatures of the respective states may think proper to make, and all *actual mariners*, shall be enrolled for different degrees of military duty, and divided into distinct classes.

"The 1st class shall comprehend the youth of 18, 19, and 20 years of age, to be denominated the advanced corps.

"The 2d class shall include the men from 21 to 45 years of age, to be denominated the main corps.

"The 3d class shall comprehend inclusively the men from 46 to 60 years of age, to be denominated the reserved corps.

"All the militia of the United States shall assume the form of the legion, which shall be the permanent establishment thereof.

"A legion shall consist of 143 commissioned officers, and 2880 non-commissioned officers and privates.

"The companies of all the corps shall be divided in sections of 12 each. It is proposed by this division, to establish one uniform vital principle, which in peace and war shall pervade the militia of the United States.

"All requisitions for men to *form an army*, either for state or federal purposes, shall be furnished by the advanced and main corps by means of the sections.

"The executive government or commander in chief of the militia of each state, will assess the numbers required on the respective legions of those corps.

"The legionary general will direct the proportions to be furnished by each part of his command. ☞ *Should the demand be so great as to require one man from each section, then the operations hereby directed shall be performed by single sections.* But if a less number should be required, they will be furnished by an association of sections or companies, according to the demand. In any case, it is probable that mutual convenience may dictate an agreement with an individual to perform the service required. If however no agreement can be made, one must be detached by an indiscriminate draft, and the others shall pay him a sum of money equal to the averaged sum which shall be paid in the same legion for the voluntary performance of the service required.

"In case any section or company of a legion, after having furnished its own quota, should have more men willing to engage for the service required, other companies of the same legion shall have permission to engage them—the same rule to extend to the different legions of the state.

"The legionary general must be responsible to the commander in chief of the military of the state, that the men furnished are according to the description, and that they are equipped in the manner and marched to the rendezvous, conformable to the orders for that purpose.

☞ "*The men who may be [illegible] shall not serve more than three years at one time.*

☞ "*All the actual mariners or seamen in the respective states, shall be registered in districts, and divided into two classes—the first class to consist of all the seamen from the age of* 16 *to* 30 *years inclusively—the second class to consist of all those from the age of* 31 *to* 45 *inclusively.*

"*The first class shall be responsible to serve three years on board of some public armed vessel or ship of war, as a commissioned, warrant officer, or private marine,* for which service they shall receive the customary wages and emoluments.

"*The 2d class shall be responsible for a portion of service in those cases to which the first class shall be unequal*—the number required shall be furnished by sections, in the same manner as is prescribed for the sections of the militia."

"The advanced legions, in all cases of invasion or rebellion, shall, on requisition of the lawful authority, be obliged ☞ *to march to any place within the United States, to remain embodied for such time as shall be directed, not to exceed one year, to be computed from the time of marching from the regimental parade;* during the period of their being on such service to be placed on the continental establishment of pay, subsistence, clothing, forage, tents, camp equipage, and all such other allowances as are made to *federal troops*, at the same time and under the same circumstances."

"The *common mode of recruiting* is attended with too great destruction of morals to be tolerated, and is too *uncertain* to be the principal resource of a wise nation in time of danger. The public faith is frequently wounded by unworthy individuals who hold out delusive promises which can never be realized. By such means an unprincipled banditti are often collected, for the

purpose of defending every thing that should be dear to freemen. The consequences are natural: such men either desert in time of danger, or are ever ready on the lightest disgust to turn their arms against their country. By the establishment of the sections, an ample and permanent source is opened whence the state in every exigency may be supplied with men whose all depends on the prosperity of their country."

I request the reader will duly weigh these extracts, and will examine the admirable plan, at large, which ought to immortalize the memory of General Knox. I hope and trust the day is not far distant, when the adoption of such a system will place a rampart around our firesides and our families, which might bid defiance to all the hosts of Europe combined, were they to attempt our subjugation. This would far exceed the famous Chinese wall built to guard against the incursions of the Tartars—or the Pictish wall of the Roman general Agricola.

I cannot pass over one incident connected with this affair, which shews, in a striking point of light, the delusion which the spirit of faction excites. After the noble, efficient systems of the secretary at war and Mr. Giles fell sacrifices to the convulsive struggles in congress for power—and after, of course, the country was thus left in a manner defenceless and exposed to the inroads of a powerful enemy, the house of delegates of the state of Maryland published an address to Rufus King, Esq. lavishing compliments on him for his services in defeating these plans of defence, subjecting their houses, their wives, their children, their parents, and themselves, to the mercy of Cockburns and Gordons!!!

"Resolved, That the thanks of this house, in behalf of the freemen of Maryland, be, and they are hereby presented to the honourable Rufus King, of the senate of the United States, for the seasonable and successful interposition of his experienced wisdom and elevated influence of character, *in averting the meditated operation of a measure, hostile to the immunities of constitutional freedom, offensive to the pure genius of independence, and fraught with consequences baleful and appalling to the social order, tranquillity, and well being of this United republic.*

"And this house would accompany the respectful tribute, which is thus specially offered, with a general expression of the grateful sense which it also entertains of the distinguished merit of the other members of the minority, who so stedfastly and ably co-operated, *at every revival of the struggle, in both branches of congress, in combating against the insidious introduction of an authoritative conscript establishment*, more specious in the form of its approach, but not essentially different from that, whose intense oppression has just vanished from the continent of Europe, with its guilty author, the blood-stained usurper of France."

CHAPTER LXX.

Gerrymanderism. Derivation of this queer name. Political Legerdemain. A grand discovery how to enable a minority to rule the majority. Joint and concurrent votes. General ticket.

It is a painful truth, discreditable to human nature, that politicians, even those who in private life are honest and upright, display considerable laxity of principle, in cases wherein the interest, or the power, or the influence of the party to which they are attached, is in question. From this strong and pointed censure, few parties, in any age or country, have been free. It is not therefore wonderful, that both federalists and democrats have been liable to it. Their history affords many decisive illustrations of the soundness of the maxim.

The subject to which I have devoted this chapter, is an unanswerable corroboration of the accusation. It involves a gross violation of justice and political morality—and, virtually disfranchising one portion of the community, imparts to the other an undue share of political influence. This is separedly a high crime and misdemeanour, deserving of the most pointed reprobation of good men of all parties.

It has reference to the representation in the senates of the individual states.

As this book may fall into the hands of persons unacquainted with our systems of government, it may not be improper to state, that our legislatures are generally composed of a senate and house of representatives, or delegates. To the latter branch, each county in the state to which it belongs, sends one or more representatives. In fourteen of the states, the representation is in proportion to the population. But in Delaware, Maryland, Virginia, and North Carolina, it is regulated merely by counties, no regard being paid to the population.

The senates, in almost every case, are composed of members chosen by districts, formed of two or more counties, which districts elect a number of senators in proportion to their population, except in the four states specified.

The above arrangement and the adjustment of these districts opens a door to a considerable degree of intrigue and management, and invites to chicane and fraud—in one word, to the political sin, which I have styled *Gerrymanderism*.

The injustice lies in so arranging the counties, in the formation of districts, as to produce the effect stated in the second paragraph.

To accomplish this sinister purpose, counties are frequently united to form a senatorial district, which have no territorial connexion, being separated from each other by an intervening county, sometimes by two or three. Of this heinous political sin, both federalists and democrats, as I have said, have been guilty.

The state of Massachusetts was depicted, two or three years since, as a sort of monstrous figure, with the counties forming the senatorial districts, displayed on this unprincipled plan. It was called a *Gerrymander*,* in allusion to the name of the late vice-president of the United States, then governor of that state. Hence I derive the term *Gerrymandrism*. To those who gave the title of *Gerrymander*, it might not unaptly be said—"*men of glass, throw no stones.*"

To enable the reader to form a correct idea of the extreme and flagrant injustice that may be perpetrated in this mode, without any apparent violation of law or constitution, I will explain how the minority may be enabled to rule the majority, so far as respects the senatorial branch of the legislature.

I suppose a case. Six counties, each containing 1,000 voters, are to be formed into three senatorial districts, each to elect four senators. These districts may be so contrived, that the party predominant in the legislature at the time of arranging them, whether federal or democratic, with 2,320 voters, shall have eight senators; and the other, with 3,680, shall have only four, and, nevertheless, every elector of the whole 6,000 shall exercise the right of suffrage.

You may well be amazed, reader. But it is so. Such is the political juggle and hocus pocus, that our public men, of both parties, too frequently play, to acquire or to perpetuate an undue share of power.

I now state the number of voters of each of the six counties, to which I give the following names:

* The federalists, who have always been very adroit in *political christenings*, endeavoured, by the use of this name, to cast the odium exclusively on their antagonists, as if they themselves were immaculate on this subject. The idea is unsound.

The Boston folks are said to be full of *notions*. They have been pretty notional on the subject of the English language, which they have amplified, I will not venture to say improved, with many such queer words.

Counties.	Federalists.	Democrats.
Jackson,	120	880
Erie,	280	720
Champlain,	340	660
M'Donough,	680	320
Perry,	150	850
Porter,	750	250
	2320	3680

I might have styled the parties *big-endians* or *little-endians*. The name is of no importance.

Now for a display of political legerdemain—in order to enable the minority to rule the majority:

District No. 1—formed of Erie and Porter Counties.

	Federal.	Democratic.
Erie,	280	720
Porter,	750	250
	1030	970

District No. 2—formed of Champlain and M'Donough.

	Federal.	Democratic.
Champlain,	340	660
M'Donough,	680	320
	1020	980

District No. 3—formed of Jackson and Perry.

	Federal.	Democratic.
Jackson,	120	880
Perry,	150	850
	270	1730

Thus, as I have stated, a minority of 2,320 inhabitants, have twice as many senators as the majority of 3,680—their candidates having been successful in the two first districts. In the first district, the democratic minority is 970—in the second 980, which are wholly lost. And the majority in the third district is 1730, whereas 1010 would have equally secured the election. It therefore follows, that by this arrangement, there are 970, 980, and 620 democratic votes absolutely thrown away.

This is an extreme case. Injustice, carried to such a flagrant extent, does not often occur. The instances, how-

ever, of this kind, but of an inferior degree, are by no means unfrequent. It thence happens, that a senate is sometimes democratic, while the house of representatives, in the same state, is decidedly federal; and *vice versa*.

This political arithmetic, like every other science, has its arcana. The grand and unerring rule is, to make your own minorities and majorities as small, and those of your adversaries as large, as possible. In other words, to throw away as few votes on your own side, and as many on the other, as in your power.

This fraudulent practice admits but of one effectual remedy. Senatorial districts ought to be formed of counties and parts of counties, quite contiguous to each other, so that all those who vote for each senator shall be residents of the same neighbourhood.

There is another political fraud, of which both parties have been occasionally guilty, and which deserves the severest reprobation. It has respect to the choice of members of the house of representatives of the United States, and electors of the president and vice-president.

For these very important operations, there is not, although reason and justice loudly call for it, a fixed and permanent rule. The legislatures of the individual states have the power of deciding upon the mode, and, as it respects the representatives, upon the time of the election. Hence, flagrant injustice is frequently perpetrated.

These elections are sometimes by districts, in the same manner as the state senators are elected; at others, by a general ticket.

The last mode is extremely unfair and incorrect. It deprives the minority altogether of any share in the representation.

A short statement will fully evince the extreme injustice and inequality of a general ticket for members of congress, or electors of president.

Massachusetts is entitled to members of the house of representatives of the United States,	20
New-York,	27
Pennsylvania,	23
Virginia,	23
	93

Suppose either of the parties, federal or democratic, to have a very small majority in each of these states, say two thousand votes—suppose, also, the whole number of votes in the four states to be 300,000. The result will be, that if the elections be by general tickets, 154,000 voters will secure the entire representation, which is more than half the whole number of members of congress—and that the remaining 146,000 have no representative. This idea might be pursued to a great extent. But I leave it to the pen or pencil of the reader.

Instances have frequently occurred in the different states, of the mode of election being changed on the spur of the occasion, to suit the momentary purposes of party or faction. The most recent case that has occurred, was in the state of New-Jersey in 1812. From the organization of the general government till the year 1800, the members of the house of representatives of the United States, had been elected in that state by districts. In that year, the federalists had a majority in the legislature, and calculated on a majority of votes in the whole state. In order therefore to engross the whole representation to themselves, on the eve of the election, they repealed the district law, and passed an act for electing the representatives by a general ticket. Contrary to their calculations, the democratic ticket prevailed then and in every subsequent election till the year 1812. In the latter year, the federalists having a temporary ascendency in the state legislature, one of their first acts was to repeal the general election law, which they had themselves enacted, and to restore the election by districts, which they had formerly repealed. And by Gerrymandering the state to suit their views, they gained four out of the six representatives; whereas by a general ticket they would not have obtained one.

Another reprehensible procedure, emanating from the same laxity of principle, respects elections by our legislative bodies. When the politics of the two branches of a legislature are different, there is frequently a struggle about the mode of election—whether by a joint, or a concurrent, vote. The senate, being the less numerous body, are, in the case of a joint vote, merged and lost in the greater number of the house of representatives. They are, therefore, strenuous supporters of a concurrent vote, in which their influence is equal to that of the co-ordinate branch. The other house, confiding in its numbers, is equally zealous for a joint vote, wherein it will have the ascendency. The state of Pennsylvania was, many years since, for a considerable time unrepresented in the senate of the United

States, in consequence of a struggle of this kind—neither party being disposed to concede the point to the other.

It is a grand desideratum to have all these points clearly and explicitly defined by the constitutions.—There should be as little temptation to fraud, and as little safety in the perpetration of it, as possible.

CHAPTER LXXI.

State of representation in Massachusetts. Wretched system of representation in Maryland and Virginia. Rotten boroughs.

It may not be improper here to introduce an analogous subject, respecting the representation in the state of Massachusetts. The men who framed the constitution of that state, were probably as highly enlightened and respectable, as any equal number of men ever convened for such a purpose. But they, nevertheless, committed some very egregious errors, which are really astonishing. The most conspicuous was, neglecting precisely to fix the number of representatives in the more numerous branch of the legislature. The consequence is, that the numbers have fluctuated in the most extraordinary and incredible degree. There have been, I believe, as many as 700—at other times, not half the number. And the town of Boston has had a small army of representatives, no less than forty-four—being a greater number than the whole senate and house of representatives of the state of Delaware—than the entire senate of South Carolina, or Pennsylvania—and than the assembly of New Jersey.

This defect in their representative system arises from a flaw in the constitution, respecting the choice of members of the house of representatives—instead of the imperative, *they shall elect*, the phraise is, *they may elect*.

"Every corporate town containing one hundred and fifty rateable polls, *may* elect one representative:—every corporate town, containing three hundred and seventy-five rateable polls, *may* elect two representatives:—every corporate town containing six hundred rateable polls, *may* elect three representatives:—and proceeding in that manner, making two hundred and twenty-five rateable polls the mean increasing number for every additional representative."

Every town has heretofore paid (and I believe still pays) its own representatives: and from a sordid, miserable, huckstering, and contemptible spirit of economy, some of them send no representatives—others, regardless of expense, send full as many as they are entitled to—and some, it is

presumable, when party spirit runs high, send more than their quota.

On reflection, I cannot conceive how Boston can be entitled to 44 representatives. The city of Philadelphia, with a population of 57,000 inhabitants, has never polled more than 6,000 votes. The right of suffrage here is as latitudinarian as any where; much more than in Massachusetts, where a citizen must be worth 60*l.* to qualify him to vote. According to the Massachusetts principle, we should be entitled only to about 27. Boston has but 33,000 inhabitants, and yet has had 44 representatives.

Representation, which is the key-stone of free government, is arranged very incorrectly in several other states. The *Gerrymander* principle, is, alas! too prevalent. The lust of power induces parties to hold tenaciously whatever political advantages they possess, however unjust their operation.

This subject would almost require a volume. But I am afraid the reader is tired of my scribling—and, to be candid, I am tired myself. I pant for a close. I shall barely glance at a few enormous traits of injustice.

Each of the counties of Maryland has four representatives in the house of delegates. There is, nevertheless, a most enormous difference in the population.

	Inhabitants.	*Representatives.*
Frederick county	34,177	4
Anne Arundel	26,668	4
Baltimore	29,255	4
Hartford	21,258	4
Baltimore city	46,555	2
	158,213	18

These four counties, and the city of Baltimore, have only 13 representatives.

Counties.	*Inhabitants.*	*Representatives.*
Allegany	6,909	4
Calvert	8,005	4
Caroline	9,453	4
Kent	11,450	4
St. Mary's	12,794	4
	48,611	20

These five counties have twenty representatives. Thus 43,611 persons in one part of the state, have 10 per cent. more influence than 158,213 in another. If this be not *Gerrymanderism*, pray what is?

Kent county, in Delaware, has but 20,495 inhabitants—Sussex 27,750. But each elects an equal number of representatives and senators.

The same wretched and unjust system prevails in Virginia. Each county has two representatives. And there is a more enormous disproportion in the population, and more flagrant injustice, than in Maryland.

I annex a view of the population of sixteen counties, which have thirty-two representatives in the house of delegates. Eight of them, it will be seen, have 163,000 inhabitants, and the other eight only 27,000. Thus six men in the first list have no more influence in the making of laws, than one in the second!

Counties.	*Inhabitants.*	*Representatives.*
Caroline	17,544	2
Buckingham	20,059	2
Albemarle	18,268	2
Fauquier	22,689	2
Frederic	22,574	2
Halifax	22,131	2
Loudon	21,338	2
Mecklenberg	18,453	2
	163,056	16

Counties.	*Inhabitants.*	*Representatives.*
Warwick	1,835	2
Flouvanna	4,775	2
Middlesex	4,414	2
* Patrick	4,693	2
* Mason	1,991	2
* Tazewell	3,007	2
* Brooke	2,717	2
* Giles	3,745	2
	27,179	16

Same subject once more, in a still more striking point of view.

* New counties.

Counties.	Inhabitants.	Representatives.
Fauquier	22,689	2
Frederic	22,574	2
	45,263	4

Counties.	Inhabitants.	Representatives.
Warwick	1,835	2
Mason	1,991	2
	3,826	4

Thus, eleven inhabitants of the former counties have not as much weight as one in the latter:

Let no Virginian, after this statement, dare to censure the rotten boroughs of England. This state of representation is in the true spirit of that borough system.

When we take fully into consideration the youth of this country—the era at which the American constitutions were formed—the general diffusion of political knowledge—the illumination of, and advantages possessed by, the conventions that framed these constitutions; and when we likewise reflect on the borough system in England, and the natural tendency of all political institutions towards corruption, unless frequent recurrence is had to first principles—I am really inclined to think, that palliations may more readily be found for the borough system in England, wretched and corrupt as it is, than for the county representation in Virginia and Maryland.

The knavish tricks, which I have glanced at in this chapter, cannot be too highly despised, whether perpetrated by federalists or democrats. It is to be regretted, that there is no court of justice, to punish such political frauds, how heinous soever they may be. A man shall be sentenced for years to saw marble, for the depredation on the property of his neighbour, to the amount of a few dollars. But a large portion of a state may be virtually disfranchised by its representatives, without a possibility of redress, and the culprits wholly escape punishment.

To the calm and dispassionate consideration of the public, these views are respectfully submitted. That enormous evils exist, and loudly call for a remedy, cannot be doubted or denied. That those whose political influence rests on the basis of these evils, will submit to have them redressed, I fondly hope and pray—but, reasoning from the general

course of human affairs, I am not very sanguine on the subject. For in the whole history of mankind, from the earliest records to the present time, there are hardly any instances to be found, of that glorious spirit of justice and self-denial, that induces nations or public bodies voluntarily to renounce any important advantages they may possess, however unjustly they may have been acquired—or however oppressive or iniquitous their operation. And he must be a fool or a madman, who, after reflecting on the pages of the "*abstract and brief chronicle*" of our times, is very sanguine in the expectation that we shall prove ourselves wiser or better than our ancestors—or that we shall avail ourselves more of the light of history, to guide our paths, than the nations that have preceded us. Every stage of our progress, fraught with folly and error, forbids the flattering anticipation.

CHAPTER LXXI.

A wonderful contrast. "Let every soul be subject to the higher powers."—Rev. Dr. Morse—Rev. Dr. Parish—Rev. Dr. Osgood. Invocation to war. Governor Gilman.

On the seditious and treasonable opposition to the government, that lately prevailed in the eastern states, I have given copious specimens in chapters 52 and 56.

It is difficult to decide which is greater, the disgrace of the government in its pusillanimous and feeble submission to such lawless outrages, or that of the parties who perpetrated them. Never before did such treasonable conduct experience the same impunity. And never again, I hope, will the same experiment be made of the imbecility of the government of the United States, be it in whose hands it may, whether democratic or federal. The result, it is true, has not been unfavourable. The tornado has spent its fury without destroying the majestic edifice of our government, which it threatened with perdition—and without provoking civil war. But the guilt of those who raised the storm, and the guilt of those who shamefully neglected the necessary measures to ward off its terrific consequences, is precisely the same as if it had produced those awful results, from which the finger of heaven alone saved this favored nation.

It may not be amiss to contrast with those horrible violations of law and propriety, the maxims and conduct of the federal leaders and their advocates when they held the

reins of government. It will afford an interesting example of the facility with which our views of objects and our sentiments can be moulded to suit the purposes of the moment.

And, to commence, I beg the reader will carefully peruse the sedition law, passed Anno 1798, of which he will find the principal features in chapter 2.

By this law, "if any persons should combine or conspire together, *to oppose any measure or measures of the government of the United States*, which should be directed by the proper authority, they ☞ *should be subject to a fine not exceeding five thousand dollars—and* ☞ *to imprisonment, not less than six months, nor more than five years.*"

Reader, ponder well on these few lines. And reflect what would have become of the Chittendens, the Otises, the Pickerings, the Blakes, the Websters, the Kings, the Russels, *cum multis aliis*, had this law been carried into operation against them. There is not a man of them that would not have taken his abode in a prison, and paid a fine of perhaps five thousand dollars. There are some of them, who, had this law remained in existence, would have incurred its penalties a thousand times.

In the month of October, 1808, a rumour prevailed, that Bonaparte had declared war against this country. The federal papers then threatened "*the partizans of France*" with the vengeance of the law—aye, and with vengeance beyond the law, if they dared to make the least opposition to the government, or display their regards for France, even in conversation. They were ordered "*to lower their tone*"—or threatened with being "*sent to their master.*" Of the style of these denunciations and threats, I annex a fair and full specimen, from the Gazette of the United States, October 22, 1808.

"If the news this day received, of an actual declaration of war by Bonaparte, should prove true, the *traitorous emissaries of Napoleon, who every where abound in the country, will find it necessary to lower their tone.* What can be tolerated in time of peace, ☞ THE PEOPLE WILL NOT BEAR IN TIME OF WAR. The advocates of French despotism ☞ *must either go to their master, or* ☞ *be more cautious in their language.* It is true that France has, to all intents and purposes, been making war upon us these twelve months. But as it has not been declared in form, and as our government have not thought proper to make any opposition, the papers of Napoleon, and his agents of every description, have hitherto been suffered to carry on their intrigues, and to promote the cause of their master by every means which they chose to adopt. WE MUST NOW CORRECT THE PROCEDURE."

One other newspaper specimen, from the Baltimore Federal Gazette, July 5, 1798—

"I believe, that some of the old *French leaven* still remains amongst us, and that some vile and degenerate wretches, whom I call *French partizans*, or *American jacobins*, will not join any *military* association, or *patriotic* loan, but

discourage them as far as they dare; these men should be carefully WATCHED, and if they should *artfully* attempt to form any *military corps* (and they will be known by the character of their officers and privates) notice should be given to our federal and state GOVERNMENTS, *to prevent commissions issuing from want of information.*"

This is, I presume, enough of this description.

I now proceed to detail the sentiments of three clergymen, who have rendered themselves conspicuous by their rancorous hostility to the administrations of Mr. Jefferson and Mr. Madison—the Rev. Jedidiah Morse, the Rev. David Osgood, and the Rev. Elijah Parish. I have no recent sermon of Dr. Morse's: But of the anti-christian spirit that predominates in the late sermons of the two latter gentlemen, I have given abundant proofs and specimens in the 56th chapter of this work. Let us examine what were their sentiments when the administration was in the hands of their own party. Never was there a stronger contrast.

And first, of Dr. Parish. This reverend gentleman delivered an address, on the 4th of July, 1799, which breathes in every page the most devoted submission to rulers, the most decided support of their measures, and the most virulent fulminations against the opposers of the government. Its spirit may be readily conceived from the following short specimen:—

"It is a time of day that requires cautious jealousy. Not jealousy of your magistrates, ☞ *for you have given them your confidence; but of those who slander their administration.* To be jealous of your rulers would be, as if a person were to choose a bride from all the beauties of the world, and then instantly without cause be jealous of her alone. ☞ YOUR PUBLIC CHARACTERS ARE YOUR OWN CHOICE. Watch those ungrateful souls, who *murmur about taxation and oppression*, the burdens of government and religion. ☞ *They have fellowship with our enemies—they are traitors to God and christianity.* Be jealous of those who declaim against alien and sedition laws; they probably have a hankering for *lying and rebellion* themselves. In a word, let honest men, let the friends of God and humanity, spurn from their embrace every man who trifles with his father's religion, the hope and salvation of the world, ☞ *who alarms weak minds with the designs of government*; who discourages the most formidable means of *defence. It was the sword which gave courage to declare independence.* Such is the present state of human nature, that ☞ *nothing but the sword can defend our independence.* Never, never while there is a crimson drop in your hearts will you suffer an armed foe to breathe your native air.——CURSED BE HE THAT KEEPETH BACK HIS SWORD FROM BLOOD; LET HIM THAT HATH NONE, SELL HIS COAT AND BUY ONE. THE CONTEST IS DESIRABLE."

How shall we account for or reconcile this ravenous thirst for blood—this invocation of the sword—this elaborate defence of the constituted authorities, with the pacific spirit, the denunciations of war, and the malignant abuse of the administration which are to be found in chapter 56? There is only one conceivable reason—and that is, when blood was called for, it was French blood—French blood—French blood that was to flow.

Next I exhibit the Rev. Dr. Osgood. A convention of congregational ministers agreed to an address to President Adams, in May, 1798, which was signed by that gentleman among others. I annex a short extract:—

"We remember his [Christ's] command to forgive and love our most injurious enemies. But neither the law of Christianity nor of reason requires us ☞ *to prostrate our national independence, freedom, property and honour at the feet of proud, insatiable oppressors.* Such a prostration would be *treason against that Being* who gave us our inestimable privileges, civil and religious, as a sacred deposit, to be *defended and transmitted to posterity.* It would be criminal unfaithfulness and treachery to our country, our children, and the whole human race.

"The intimate connexion between our civil and christian blessings is alone sufficient to justify the ☞ *decided part which the clergy of America have uniformly taken* ☞ *in supporting the constituted authorities and political interests of their country.*"

Next follows the Rev. Jedidiah Morse, whose eloquence and sound reasoning "*in olden time,*" cannot fail to excite the approbation of the reader. The following extracts are from a sermon delivered by this reverend gentleman, May 9, 1798.

"Our newspapers teem with slander and personal invective and abuse Our rulers, grown grey, many of them, in the service of their country; who, in the various dignified and responsible offices they have filled, have discharged their duties with great ability and incorruptible integrity, are yet stigmatized continually, as unfriendly to the rights and liberties of the people, and to the true interests of their country. Our government itself, the most perfect, the best administered, the least burdensome, and most happyfying to the people, of any on earth, is yet steadily opposed in all its important measures; and regular and continual efforts are made to "stop its wheels.

"*As citizens we ought with one heart to cleave to, and support, our own government. It is a government of our own forming, and administered by men of our own choice; and therefore claims our confidence and support. We ought to repel, with indignation, every suggestion and slanderous insinuation, calculated to weaken a just confidence in the rectitude of the intentions of our constituted authorities. All such insinuations, at this critical period, proceed from an influence hostile to our peace; and, if permitted to have their intended effect, may accomplish the purposes of our enemies, in our division, and the overthrow of our government.* While, on the one hand, we would avoid passive obedience and non-resistance, let us not vibrate into the other extreme, and believe it a duty to be jealous and suspicious of every thing which is done by our rulers. We thought them honest men, and friends to their country, when we elected them into office; and what have they since done to forfeit our good opinion? Let their measures be examined with candour, and we shall assuredly say, they *deserve well of their country.* In this moment of our political danger, let us be impressed with this truth—that—"United we stand—divided we fall." The increasing union among us, and the revival and expression of the true American spirit, are tokens for good, and augur well in regard to our political interests.

"To the unfriendly *disposition* and *conduct* of a foreign power, we may ascribe the unhappy divisions that have existed among us, which have so greatly disturbed our peace, and threatened the overthrow of our government. Their maxim, to which they have strictly and steadily adhered, has been, "Divide and govern." Their too great influence among us has been exerted vigorously, and in conformity to a deep-laid plan, in cherishing party spirit, in vilifying the men we have, by our free suffrages, elected to administer our

constitution; and have thus endeavoured to destroy the confidence of the people in the constituted authorities, and divide them from the government.

"The pious king Hezekiah hath set us an example, when placed in a similar situation, well worthy our present imitation: He took the message he had received from the king of Assyria, and spread it before the Lord, and prayed —(let us unite in this pertinent prayer)—"O Lord God of Israel, which dwellest between the cherubims—thou art the God, even thou alone, of all the kingdoms of the earth—thou hast made heaven and earth—Lord, bow down thine ear and hear—open, Lord, thine eyes and see; and hear the words of Sennacherib, which hath sent him to reproach the living God. Of a truth, Lord, the kings of Assyria have destroyed the nations and their lands, and have cast their gods into the fire; for they were no gods, but the work of men's hands, wood and stone, therefore they have destroyed them—Now, therefore, O Lord our God, I beseech thee, save thou us out of his hand, that all the kingdoms of the earth may know that thou art the Lord God, even thou only." The effectual fervent prayer of this good man availed much."

A comparison of these doctrines with the doctrines and practice of these reverend gentlemen in 1812, 1813, and 1814, as exhibited chap. 56, must excite the most painful sensations in the mind of every man who feels for the honour of his species. It is impossible for the human mind to conceive of a more striking contrast—a more deplorable instance of infatuation and delusion—or a more awful memorial of and memento against human weakness.

From the pulpit, I descend to the civil walk—and present you with the opinion of Governor Gilman in 1798, in an address to the legislature, and the echo from both houses.

From Governor Gilman's Speech to the Legislature of New Hampshire.

"Perfection in human affairs is not to be expected: to satisfy every citizen is next to impossible; but if our system of national government is generally good; if it is free; if we have the choice as frequently as we wish, of persons to administer it; if one of the fundamental and irreversible principles in a republican government, is that ☞ *a majority shall govern*, is it not proper to give ☞ *a firm support to the laws and administration of such a government*, and for every citizen duly to consider how far ☞ *clamour and opposition thereto has invited or procured, or may invite or procure, injuries from any foreign nation?*"

Extract from the answer of the Senate to Governor Gilman's address to the Legislature.

"Convinced that our national government is formed on the surest basis of liberty; that the ☞ *majority ought to rule*, that we have an opportunity as often as we can rationally wish, to change and elect our rulers, we view it as the palladium of our rights, and entitled to our firmest support.

"Although jealousy is a lively trait in a political character, yet when very scrupulously exercised towards the administrators of government, ☞ *it may tend to lessen the confidence of a people in their rulers—and* ☞ *we view with regret and indignation the faction that clamours for the destruction of our peace and government, and conceive its only source to be the dregs of successive foreign anarchy, operating on the weak and vicious.*"

Extract from the answer of the House.

"As the constitution of the government was framed by the wisest and best men, was adopted after a candid discussion, and upon mature deliberation, without violence or tumult, it belongs to us *to repose proper confidence in the officers of our own choice*, and willingly afford effective aid to that government which we have instituted for the common good; the beneficial effects of the constitution of the United States have been generally felt, and acknowledged

to be the greater than was at first expected. A spirit of inquiry into the principles of a government and the mode of its administration pertains to a free people: But ☞ *when that spirit becomes intemperate*, and its designs are ☞ *to promote opposition*, ☞ *to divide and weaken the government*, ☞ *it may embolden foreign powers to invade our rights, and embarrass the measures necessary to obtain redress*—wherever such a restless, uneasy temper appears, we will lend our firmest aid to discourage and correct it."

I might extend the subject very far. But I trust I have "*made out my case*," completely, and that it would be extreme supererogation to enter into any further detail.*

CHAPTER LXXII.

View of the prosperity of the United States, during the various administrations. Mighty errors prevalent on this topic.

A VERY large portion of our citizens have imbibed a deep and rooted impression, that from the period when the administration of the general government was withdrawn from the hands of the federalists, and placed in those of their political opponents, the prosperity of the nation began rapidly to decay. They believe that during the presidency of General Washington and of Mr. Adams, particularly the former, our political and commercial sun had ascended to its meridian height; that even previous to the embargo and restrictive system generally, it had descended towards the horizon; that those measures sunk it far below, whence it is never to rise, till the powers of the general government, legislative and executive, are restored to the "*genuine sons of Washington*"—nurtured in his bosom—formed in his school—imbued with his maxims—and determined to tread in his footsteps, and to follow his illustrious example.

The universal prevalence of these opinions among the federalists of this country, will hardly be controverted. I doubt whether there is a man among them, from those of the highest grade of intellect down to those of the opposite extreme, who does not regard it as impertinence and presumption to call them in question. And the prevalence of this impression is not wonderful. The assertions have been so often repeated, with so much confidence, and in so many shapes and forms, that it was not in human nature for the federalists to withhold assent. It is a well known property

* Some of the extracts in this chapter and in the 56th, are taken from an excellent little pamphlet, published in New Hampshire, and entitled, "An address to the clergy of New-England, on their opposition to the rulers of the United States. By a Layman."

of mankind to lend an easy assent to those opinions that flatter our vanity, offer incense to our pride, tend to promote our interests, or to gratify our ambition.

—

The prevalence of these opinions has produced most deleterious consequences. It has embittered fellow-citizens against each other with the most virulent animosity. The federalists, persuaded that their antagonists have impaired the honour, and happiness, and prosperity of our common country, have regarded them with sentiments of rancour, and hatred, and disgust. And if their views of the case were correct, their opponents would be fit objects of those hostile feelings. It would be laudable to strain every nerve to expel from power men whose whole course had proved them unworthy of it. The angry passions raging on one side, enkindle their likeness in the breasts of their opponents, who are deeply exasperated at the injustice they believe themselves to have experienced from their adversaries. This is perfectly natural. And time, which in all common cases possesses the property of diminishing the force of passion, is unfortunately deprived of this salutary power, by the zeal and activity of those who find an interest in fomenting public discord. And that there are many of our citizens of this description, possessed of great talents, great industry, and great influence, cannot be denied.

If the allegations against the democratic administrations were true, I should most heartily and cordially pray for a change of our rulers. I am not in love with ruin or disgrace. And far from being willing to sacrifice the honour, or happiness, or interest of a great nation for the advantage of a president, vice-president, and a few secretaries, &c. &c. there are no ten thousand men of either party whom I would for a second put into the scale against a fourth part, not to say the entire nation.

I believe that such are the sentiments of the democrats generally. I am convinced that if they could be persuaded that Mr. Jefferson or Mr. Madison had sacrificed the interests or the honour of their country, they would unhesitatingly prefer Rufus King, Timothy Pickering, George Cabot, or De Witt Clinton. Perish the man, whoever he be, who would offer up the happiness of millions to promote the interests or the views of a few.

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This subject well deserves the most serious consideration. It will amply repay the time bestowed on it by the writer and his readers. If the opinions, which I have stated, be correct, they ought to be as generally promulgated as possible;

we pains, our exertions ought to be spared in order to illuminate the minds of those who disbelieve them. If they be erroneous, the sooner and more completely they are detected, and exposed, and "consigned to the tomb of the Capulets" the better. And I trust there is no upright, candid Federalist, that would wish the elevation or the influence of his party to be promoted or perpetuated by the prevalence of error. He would scorn to be wafted to power by the unhallowed means of delusion.

This chapter I regard as the most important in the Book, multifarious as are its contents.

The chief criteria, whereby to decide upon the decay or prosperity of nations, may be reduced to six heads.

1. Domestic industry and improvements in all their various branches.
2. Population—whether stationary, increasing, or decreasing.
3. Foreign commerce.
4. Increase or decrease of revenue.
5. Discharge or accumulation of debts.
6. Navigation.

I shall slightly touch on each of these.

Sect. I. *Domestic industry and improvements.*

The first item, which is the most important, and embracing by far the greatest sum of human happiness, does not afford those marked and decisive documents or data, that the custom houses and other public offices furnish for the remaining five. The progress of national industry sheds its beneficent influence around, without glare or ostentation. Hamlets become villages—villages become towns—towns become cities—cities double their population almost unobserved. There are few or no documents to establish the facts. They are yet on due investigation tangible and strikingly visible. Nevertheless, from the extreme scarcity of data or documents, I was almost wholly discouraged from entering on the subject, and disposed to appeal to the reader's personal observations for the rapid advances of domestic industry, and the general improvement of the country. But I have judged it better to avail myself of the few I have, which are gleaned from Bledget's Economica, than pass the subject over in silence. They are principally estimates, and cannot therefore be supposed to be entirely correct. But they are sufficient to answer the purposes of comparison, which is all the object I have in view.

1. Acres in tillage—	1797		9,600,000
	1801		10,500,000
	1805		11,400,000
2. Meadows and fallow grounds—	1797		9,500,000
	1801		9,900,000
	1805		10,350,000
3. Total improved lands—	1797		35,600,000
	1801		37,400,000
	1805		39,400,000
	1807		39,990,000
4. Value of cultivated lands per acre,	1801		$ 5.40
	1805		6.25
5. Horses—	1797		990,000
	1801		1,070,000
	1805		1,200,000
	1807		1,300,000
6. Horned Cattle—	1797		2,220,000
	1801		2,500,000
	1805		2,950,000
	1807		3,200,000
		No.	Capital Stock.
7. Toll Bridges—	1797	15	$ 1,100,000
	1801	25	1,860,000
	1804	30	2,000,000
	1807	48	
8. Turnpikes and Canals—	1797	25	$ 2,300,000
	1801	33	3,050,000
	1805	48	4,900,000
	1807	82	
9. Insurance Companies—	1797	9	$ 3,300,000
	1801	22	6,000,000
	1804	40	10,000,000
	1807		17,000,000
10. Banks—	1797	25	$ 19,200,000
	1801	31	22,400,000
	1805	39	39,500,000
	1807	86	50,000,000
11. Bank notes in circulation—	1797		$ 10,000,000
	1801		11,000,000
	1804		14,000,000
	1807		18,000,000
12. Metallic medium—	1797		$ 16,000,000
	1801		17,000,000
	1804		17,500,000
	1806		18,500,000
	1807		20,000,000

13. Cash in treasury—	1797	$ [illegible]
	1801	3,295,391
	1803	4,824,821
	1806	[illegible]
	1807	9,643,842
14. Custom house bonds—	1797	$ 10,405,091
	1801	[illegible]
	1803	12,317,449
	1806	19,553,890
15. Valuation of real and personal estate—	1797	$ [illegible]
	1801	2,430,500,000
	1804	2,502,000,000
	1807	2,318,000,000

Of the above items, the 1st, 2d, 3d, 4th, 5th, 6th, 11th, 12th, and 15th, are, as I have stated, merely estimates. From the nature of the case, they could not be otherwise. But they afford tolerable data for calculations and comparisons of the advancement of the prosperity of the country. The other items, the toll bridges, turnpikes and canals, insurance companies, banks, cash in treasury, and custom-house bonds, are derived from actual documents, procured by the unwearied exertions of the author of the Economics.

Section II. *Population.*

The statements I shall give on this point are extracted from the census of 1800, the last year of the administration of the federal party, and that of 1810, when their successors had held the reins of government for ten years, during which the pernicious effects so generally ascribed to their system must have had ample time to develope themselves.

	1800.	1810.
Population of Maine,	151,719	228,705
Vermont,	154,465	217,895
New Hampshire,	183,858	214,460
Massachusetts,	386,060	472,040
New York,	586,050	959,049
New Jersey,	211,149	245,562
Pennsylvania,	602,535	810,091
Virginia,	886,149	974,622
North Carolina,	478,105	555,500
South Carolina,	345,591	415,115
Georgia,	162,686	252,433
Kentucky,	220,959	406,511
Tennessee,	105,602	261,727
Ohio,	45,365	230,760

City of New-York,	60,529	96,373
City of Philadelphia and Liberties,	67,811	88,987
City of Baltimore,	26,614	35,583
Town of Boston and rest of Suffolk county,	28,015	34,381
Newport,	6,739	7,907
Providence,	7,614	10,071
Nantucket,	5,617	6,807
Portsmouth, N. H.	5,339	6,934
New Haven,	4,049	6,967
Pittsburg,	1,565	4,768

Here are incontrovertible proofs of the advancement of the United States in the road to happiness and prosperity. Every part of the union which did not labour under disadvantages from its crowded population, or its sterility, or the migration of its citizens, has made rapid strides in this glorious course. What a stupendous increase in the state of New-York, Pennsylvania, Georgia, Kentucky, Tennessee and Ohio! With what ineffable delight must every friend of his species contemplate these glorious scenes of expanding population, civilization, and happiness! Arts, manufactures, commerce, and science, spreading their holy empire where a few years past the wild Savage prowled in quest of prey!

Section III. *Foreign commerce.*

I proceed to the third criterion of national prosperity. And here the documents are full, complete, and irresistible. They deserve, and I hope will receive the most particular attention.

The federal government was organized and went into operation in 1789. No tables of exports were however published for that or the succeeding year. They began in 1791. I am therefore, limited to six years of General Washington's administration.

Let it be observed, that from 1791 till 1802 inclusive, there was no discrimination in the official Tables of exports, between American productions and manufactures, and those foreign articles which were re-exported from this country. This renders the comparison less complete, than it would otherwise have been.

Exports from the United States, domestic and foreign.

President Washington.	1791	19,012,000	
	1792	20,753,000	
			39,765,000

President Washington.	1793	26,109,000	
	1794	33,026,000	
	1795	47,989,000	
	1797	67,064,000	
			174,188,000
President Adams.	1797	56,850,000	
	1798	61,527,000	
	1799	72,665,000	
	1800	70,971,000	
			268,013,000
President Jefferson.	1801	64,115,000	
	1802	72,483,000	
	1803	55,800,000	
	1804	77,699,000	
			320,097,000
	1805	95,566,000	
	1806	101,535,000	
	1807	108,343,000	
	1808	22,430,000	
			327,875,000
President Madison.	1809	52,203,000	
	1810	66,757,000	
	1811	61,376,000	
	1812	38,527,000	
	1813	27,855,000	
			246,718,000

Exportation of American productions and manufactures.

President Jefferson.	1803	42,205,000	
	1804	41,467,000	
	1805	42,387,000	
	1806	41,253,000	
	1807	48,699,000	
	1808	9,433,000	
			225,444,000
President Madison.	1809	31,405,000	
	1810	42,366,000	
	1811	45,294,000	
	1812	32,658,000	
	1813	25,008,000	
			176,731,000

Average of American exports, foreign and domestic.

1. During presidency of General Washington,	$35,500,000
2. During that of Mr. Adams,	67,000,000
3. For the whole of General Washington's and Mr. Adams's presidency,	51,250,000
4. During Mr. Jefferson's first period,	75,000,000
5. During his second, including a year of embargo,	81,900,000
6. For his whole term,	78,450,000

7. During Mr. Madison's first five years, including a year and half of war, 49,000,000
8. For Mr. Jefferson's and Mr. Madison's, inclusive, 67,200,000

Average of domestic exports.

1. During six years of Mr. Jefferson's presidency, 1803 till 1808 inclusive, 37,500,000
2. During five years of Mr. Madison's, 35,300,000
3. For eleven years from 1803 to 1813, inclusive, 36,500,000

To the candid reader, desirous to form correct estimates of the affairs of his country, and to divest his mind of pernicious errors, I venture earnestly to recommend a careful consideration of these Tables. He will thereby be convinced, that till France and England commenced their disgraceful and unparalleled course of rapine and devastation "preying on the unprotected commerce of a friendly power," the United States made as rapid progress in the career of prosperity and happiness, from the year 1801 till 1807, so far as respects foreign commerce, as any nation in the world has ever done.

Section IV. *Revenue.*

The fourth criterion whereby to test the progress of the prosperity of the United States, is the situation of its revenues. Decay and decrepitude are incompatible with their increase or advancement. I shall therefore state the net amount of the impost of the United States, from 1791 to 1812, inclusive, taken from the official Documents, submitted to Congress, by Joseph Nourse, Esq. Register General, in pursuance of the order of the house of representatives. Of the direct taxes I have not a statement—but they are unessential in the formation of a comparison:

President Washington.	1791	6,534,263	
	1792	4,614,924	
			11,149,187
	1793	6,073,512	
	1794	6,683,313	
	1795	7,959,409	
	1796	7,368,120	
			28,084,354
President Adams.	1797	8,258,111	
	1798	6,192,447	
	1799	9,035,348	
	1800	9,351,346	
			32,837,252
President Jefferson	1801	13,362,702	
	1802	8,327,260	
	1803	11,322,427	
	1804	14,996,965	
			48,009,354

President Jefferson.	1805	14,[illegible],880	
	1806	15,015,317	
	1807	15,492,885	
	1808	7,176,985	
			54,664,071
President Madison.	1809	7,138,676	
	1810	12,756,831	
	1811	7,888,863	
	1812	13,0598,55	
			40,844,225

This table requires but little examination. It is decisive and overwhelming—and of itself would fully suffice to settle this question. I subjoin the result:

Average duties on exports.

1. General Washington's presidency, six years,	8,500,000
2. Mr. Adams's four years,	8,200,000
3. General Washington's and Mr. Adams's, ten years,	7,200,000
4. Mr. Jefferson's first period of service, four years,	12,000,000
5. do. second period, four years,	13,650,000
6. Mr. Madison's first period,	10,210,000
7. Mr. Jefferson's and Mr. Madison's, twelve years.	11,956,000

It were needless to add comments—the most superficial reader cannot mistake—the most prejudiced dare not reject the strong and irresistible evidence here laid before the public.

Section V. *Navigation.*

The increase or decrease of the tonnage of a commercial nation, is an important criterion of the retrogradation or the advancement of its prosperity. Let us calmly enquire into the indications that we may draw from this source.

I lay before the reader a table of the tonnage of the United States from 1793 till 1812 inclusive.

		Tons.	
President Washington.	1793	491,789	
	1794	628,415	
	1795	747,961	
	1796	831,897	
			2,700,062
President Adams.	1797	876,910	
	1798	888,326	
	1799	946,407	
	1800	973,489	
			3,685,132
President Jefferson.	1801	1,032,216	
	1802	892,102	
	1803	949,171	
	1804	1,042,402	
			3,915,891

President Jefferson.	1805	1,[illegible]	
	1806	1,208,733	
	1807	1,268,545	
	1808	1,242,443	
			4,860,087
President Madison.	1809	1,350,178	
	1810	1,442,781	
	1811	1,414,770	
	1812	1,232,502	
			5,440,231

Average tonnage of last four years of General Washington's presidency,	675,000
of Mr. Adams's	921,000
of General Washington's and Mr. Adams's	798,000
of Mr. Jefferson's eight years,	1,097,000
of Mr. Madison's first period,	1,355,000
of Mr. Jefferson's and Mr. Madison's,	1,257,000

I trust that these statements cannot fail to prove the utter want of foundation of the charge of the decay of the prosperity of the United States, so far as respects navigation, since the change of rulers. Notwithstanding the unprecedented depredations perpetrated on us by both belligerents, the tonnage of the nation increased with a steady pace. The increase during the first period of Mr. Madison's administration, is really astonishing.

Section VI. *National Debts.*

The next criterion of the decay or prosperity of a nation, is its debt. It is self-evident that a nation or an individual, whose debts are rapidly discharging, cannot be in a state of decay or depreciation. In order, therefore, to enable the reader to decide the question at issue by this criterion, I subjoin a statement of the national debt of the United States, on the 1st day of every year, from 1791 till 1813.

	1791	$75,463,476
	1792	77,227,924
	1793	80,352,634
	1794	78,427,404
	1795	80,747,587
	1796	83,762,172
President Adams.	1797	82,064,479
	1798	79,228,529
	1799	78,408,669
	1800	82,976,294

President Jefferson.	1801	83,038,050
	1802	80,712,632
	1803	77,054,686
	1804	86,427,120
	1805	82,312,150
	1806	75,723,270
	1807	69,218,398
	1808	65,196,317
President Madison.	1809	57,023,192
	1810	53,172,302
	1811	47,913,756
	1812	45,120,150

This affords a most exhilarating view of the situation of the United States, and proves the utter folly of the prevailing opinions on this topic. In twelve years of democratic administration, from 1801 to 1812, inclusive, the debt was reduced from 83,038,050

to 45,120,150

notwithstanding the purchase of Louisiana Territory 15,000,000.

which is an actual reduction of 53,000,000

And to increase our surprise and our rapturous joy at such a glorious view of the immense resources of our blessed country, one of the early measures of Mr. Jefferson's administration was the repeal of a catalogue of burdensome taxes.

Among the wonderful, and the inexplicable complaints and libels against the democratic administration was the repeal of these taxes! It is the first time, in the history of the world, that the repeal of grinding, harrassing, and degrading taxes was considered as matter of accusation, or as an unpopular measure.

The taxes repealed, were—1. Excise on stills and domestic distilled spirits. 2. On refined sugar. 3. On licenses to retailers. 4. Duties on pleasurable carriages. 5. Stamps.

In some of the very elaborate publications of Mr. Pickering, in which he used his utmost talents and influence to dissuade his fellow citizens from subscribing to the government loans, his chief argument, as far as I recollect, (I have not the essays by me) is deduced from the wickedness of the repeal of these taxes. And the Hartford convention, after drawing the most alarming picture of the hideous state of public affairs, in enumerating the means whereby a "high state of public prosperity has undergone a miserable and

afflicting reverse through the prevalence of a weak and profligate policy," expressly state, as the fourth cause—

"The abolition of existing taxes, requisite to prepare the country for those changes to which nations are always exposed, with a view to the acquisition of popular favour."

I shall not attempt to decide, I leave that task to the members of the Hartford convention, with what propriety in December, 1814, the distress, or difficulty, or embarrassment, or decay of the United States, could be ascribed to the repeal, in 1802, of taxes, some of them most odious, when such in the interim had been the overflowing state of the treasury, that the public debt had been reduced 38,000,000 dollars, exclusive of the purchase of Louisiana. This is a most extraordinary paradox.

I dare flatter myself with the hope that I have laid sufficient materials before the reader, to satisfy him that the glowing statements of the extraordinary prosperity of this country during the predominance of federalism, and of its utter decay from a change of rulers, are gross errors, utterly void of foundation, and pregnant with as pernicious consequences, as most that have ever prevailed in this or perhaps in any other nation. The country, previous to the operation of the federal government, was in a most prostrate and abject state. Arts, trades, and commerce languished. Industry had little or no encouragement. Tender laws and other measures, impolitic and unjust, had banished confidence between man and man. An unfavourable balance of trade had exhausted the country of its metallic medium. The states were hostile to and jealous of each other. In a word, affairs, for want of a general controlling government, had gone on from bad to worse, till good men began to doubt whether in its consequences the revolution would deserve to be styled a blessing.

But the establishment of our most noble and most excellent form of government, worked a rapid and incredible change. Confidence was completely restored. Arts, trade and commerce revived. State jealousy was disarmed of all its powers to retard or destroy public prosperity. In a word, the happiness and prosperity of the nation were fixed on foundations as durable, I hope, as the rock of Gibraltar.

But it is equally and undeniably true, that the country was incomparably more prosperous for seven entire years of Mr. Jefferson's administration, than during the administration of his predecessors. This is a truth, a strong truth, deny it who may, which, if I courted popularity, I should not dare to promulgate. To many it will appear little short of blasphemy. But whatever may be its appearance, and how-

ever unpopular it may be, I have fully established, that during those seven years, the population, the exports, the revenues, the tonnage, and the domestic industry of the nation, made more progress, than they had done during the administration of General Washington; and that the debt was reduced with unparalleled rapidity. And it therefore incontrovertibly appears, that the country was more prosperous during that period, than under his administration, although it had then been highly prosperous.

I trust I entertain a due sense of the transcendent merits of General Washington. He was indisputably a truly great and most illustrious character. His conduct during the revolution has earned him a conspicuous niche among the small but glorious band of heroes who saved their country, or who sacrificed their lives in the glorious struggle to save her. He ranks with Leonidas of Sparta, Epaminondas of Thebes, Cimon of Athens, Alfred of England, Wallace of Scotland, Henry Bourbon of France, Brian Boirombe of Ireland, the Dutch Prince of Orange,* Gustavus Vasa of Sweden, Andrew Doria of Genoa, and others of this description, who hold the first rank among the benefactors of the human race. And to those who read the statements of the wretched materials with which he had to form his armies, as may be seen page 390, &c. his merits will be vastly enhanced. The miserable system pursued by the early congresses, of trusting the fate of the country to short enlistments and to militia, trebled his difficulties, and trebled his merits in struggling against and overcoming them.

Besides General Washington's services during the war, he was eminently useful to his country afterwards. I feel persuaded that but for the influence of his name, the federal convention would never have agreed upon a constitution. Of this, it is true, I have no proof—nor is it fully susceptible of proof. It must eternally rest as mere opinion. But any man who attentively reads Luther Martin's statement of the proceedings of the convention, (the only published record) and duly considers the difficulty they experienced to agree upon a form of government—and how nearly all their efforts escaped being blasted, even with the advantages of General Washington's influence and exertions, will not regard my opinion as very extravagant. But I force it on no man. I further believe, that even after the constitution was promulgated, the influence of his name and support was absolutely necessary to ensure it success. It was in great jeopardy. The minorities in several of the state con-

* The deliverer of Holland from Philip II.

ventions were numerous, active, and influential. There was, therefore, considerable difficulty in getting the machinery of the government into operation. It was a truly arduous task. But when once the vessel was fairly launched, the duties of the pilot were quite easy.

With this immense and solid stock of indisputable claim on the gratitude of his country, and on the esteem and admiration of the great and good of our era and of all future ages, he needs not any addition to his fame, of which the title is not as clear as the noon-day sun. And to ascribe to him, or his councils exclusively, the flood of prosperity that succeeded the establishment of a solid form of government, would be a radical error against the truth of history. As well might we ascribe the fertility of the soil, when both seasons and climate are favourable, to the vigilance of the steward who superintended the plantation, as ascribe the beneficent effects of unshackled and protected industry, to presidents, governors, or kings. All that mankind require, in order to be industrious and happy, is to have their property secure. And this is the natural effect of wise laws.

If the nations of Europe, oppressed by wasteful and destroying governments—at war forty or fifty years out of every century—curbed and constrained and controlled in their industry by monopolies, and restrictions, and grinding taxes—if, I say, under all these and numberless other disadvantages, the European nations make advances in prosperity, as is undeniably the case, would it not be inexpressibly wonderful, if we did not run rapidly in the same career—if we did not outstrip them as far as the hale, hearty, vigorous, full-blooded racer outstrips the stage horse, worn out by hard service and merciless usage?

A ship is, in the technical sense, *well found* in every respect. She has a noble crew. She is on the open sea. The winds are perfectly favourable. She runs rapidly before them. She makes nine, ten, or eleven knots an hour. She reaches her destined port in perfect safety. Would it not be ignorance or folly to ascribe to the skill of the captain the rapidity of her movements or the success of her voyage? It is only when the sky is overcast with clouds and darkness—when the furious hurricane howls around the ship—when the waves, opening wide their devouring jaws, seem ready to swallow her up, that there is a demand for the energy, the talents, and the fortitude of the master of the vessel.

With due respect to presidents, and governors, and kings, this is a pretty analogous case to theirs. In times of tranquility, there is little room for a display of the talents of an executive magistrate. In a well-ordered state, the

laws may be said to execute themselves. The long train of judges, jurors, attorney generals, marshals, constables, &c. are eternally on the alert, to prevent infraction.

It may and will seem a paradox (I shall be charged with dealing in paradoxes) to assert, as I do, that at least as much talents are actually necessary for a legislator as, in almost every case, for a governor, and, in ordinary cases, for a president.

In a free representative government like ours, the grand, controlling, and supereminent power is in the legislature. They ordain, direct, command. Their will, fairly expressed, enforces obedience equally from the governor or president, as from the lowest mendicant. If the governor or president, as the case may be, dares to violate their commands, he is impeachable.

I return to Mr. Jefferson's presidency. "But," it will be said, "the prosperity of the country was arrested during the last year of his administration." This I do not, I cannot deny. It appears fully evident from all the documents I have given. Whence arose this stagnation? This is an important inquiry.

The application, in 1805 of the rule of the war of 1756, had made great havoc on the trade, commerce, and resources of the country. But they readily recovered from the stroke. At the close of 1807, the French decrees and British orders in council went into full operation. And they were met by our embargo. I have already stated, and I hope there is not a man of candour in Europe or America that will doubt or deny, that these measures of France and England reduced the United States to the alternative—of war with one or both—or else an embargo. We were literally hunted off the ocean.

That an embargo was less pernicious than war—and that it was highly meritorious to try every other means previous to the horrible recourse to arms, no "friend of peace" can deny.

But be this as it may, as the arrestation of our prosperity arose from the measures of France and England—and as it has never been pretended that the American administration advised or encouraged these powers to adopt their orders and decrees, it conclusively follows, that the outcry against the restrictive system of Mr. Jefferson, which these measures rendered indispensable, is utterly unjust and unfounded.

There is another mode of deciding this question. If the government of the United States really bore hostility to commerce, it had no mode of displaying that hostility but

by the enaction of anti-commercial laws, or the repeal of laws favourable to commerce. This is self-evident. Except in this shape, it is as perfectly powerless over commerce as a council of Indians held in a wigwam. And if there were any anti-commercial laws enacted, they must be still extant. The statute books are every where to be found. And I now in the face of the United States and of Christendom, challenge any opposer of the administration to produce a single law enacted during the administration of Mr. Jefferson, which can by any man of character be ascribed to hostility to commerce. There is not one. Nor was any law favourable to commerce repealed. Let the statute books be carefully examined, and the laws brought to the severest scrutiny.

It would be most extravagant folly to ascribe the law of 1806, prohibiting the importation of certain articles of British manufacture, to the hostility of the government to commerce. This law was enacted in consequence of the murmurs and remonstrances of the commercial men themselves, in order to induce England to cease her unjust and injurious depredations upon their commerce.

We now draw towards a close. We have seen, I repeat, that the population, the exports, the tonnage, the domestic industry, and the revenue of the nation, made rapid progress for seven years of Mr. Jefferson's administration, and that during the same period its debts had as rapidly decreased—and it appears that no law hostile to commerce was enacted—no law favourable to commerce repealed—and that our prosperity continued till it was cut up by the roots by foreign powers—and how, then, can a candid federalist so far lose sight of justice, or propriety, or the holy rule, "do as you would be done by," as to charge to the past or present administration the consequences of measures over which they had no controul? The federalists would complain most grievously if they were made responsible for Mr. Jefferson's or Mr. Madison's measures. And where is their justice in making Mr. Jefferson or Mr. Madison responsible for the measures, or the consequences of the measures, of Mr. Percival or Napoleon Bonaparte?

If I have succeeded to the extent of my wishes, and indeed of my expectations, to establish the positions I have laid down in this chapter, I cannot fail to have rendered a great and lasting service to my fellow-citizens of both descriptions, federalists and democrats.

The former I shall have convinced of the unsoundness of their towering pretensions to an exclusive promotion of the prosperity of this nation, as well as of the extreme injustice

of the strong and damning accusations they have preferred against, and the deadly hostility they have borne towards, their fellow-citizens, who are wholly guiltless of the crimes laid to their charge. These are important truths, deserving of their most serious consideration. To pursue a course of error, merely because it has been unfortunately commenced through inadvertence, is worse than folly. To retract error is magnanimous. These considerations ought to induce them to lower their tone, and to regard their brethren with more kindness and charity than they have heretofore extended to them.

There is one point which cannot be too much or too frequently enforced. The federalists have been divested of the powers of the general government for thirteen years and upwards. That entire period they have spent in an unceasing struggle to regain the power they had lost. They have spared neither pains nor expense. They possess large numbers of men of powerful talents, which are in constant requisition for the purpose. They have greatly the superiority of newspapers in perhaps all the seaport towns, owing to mercantile influence.* They have struggled in peace—they have struggled in war—they have struggled under the pressure of taxes of the most oppressive kind—they have struggled while we were covered with disgrace and overwhelmed by disaster—and they have struggled when a halo of glory surrounded the nation. They have struggled under every possible variety of circumstances. They have left nothing unessayed. In this struggle, the country was brought to the jaws of perdition. In this struggle, they were placed in the mortifying predicament that their views were likely to prosper by the defeat and disgrace—and to be utterly disappointed by the success, of their country. And in this struggle, some of their leaders committed acts in aiding and abetting the enemy, which, under any other government, or in any other nation, would have forfeited their lives. After all these struggles and efforts, they are as far as ever from the attainment of the prize which they have for thirteen years been devouring with their longing eyes.

And what has been the result of these efforts? To engender a spirit of faction, the direst scourge that ever cursed a country—to divide man from man—to demoralize the nation—to prepare us of late for civil war and all its horrors—to deprive themselves of all the influence their numbers, their talents, and their virtues, would have ensured

* In Philadelphia, there are six federal and two democratic papers. The proportion is pretty nearly the same in other cities.

them—and to place them in the frightful situation of opposing almost all the measures of the administration, however wise or salutary.

It is time to pause—to cast a retrospective eye on the past—and look forward for the result. A very little reflection will suffice to convince them, that if they regard their honour as a party—their character in history—their duty as citizens—and the welfare of their country—a change, a radical change is necessary. No man of common sense, who pays attention to the existing circumstances of the country, can persuade himself that they have any chance of regaining power, unless by a convulsion, of which they would be the earliest and greatest sufferers, and which they would have every reason to curse most bitterly. And surely with the wounds of bleeding, gasping France before their eyes—with her groans in their ears—they would not be so mad, so blind, so lost to reason, to common sense, to religion, to public spirit, to all regard for themselves and their families, as to pursue power through such a desperate road as a convulsion. If they have failed to gain ground in the great states of New-York, Pennsylvania, Virginia, and North Carolina, when war, stagnation of business, and depreciation of property of every kind, aided their efforts to render their adversaries unpopular, is it not hoping against hope, to calculate on producing this effect when smiling peace with her cornucopia has once more revisited our favoured land?

Let them take the advice of a political opponent, but a real friend. Let them not render a government, whose only real defect is its feebleness, still more feeble, and thus endanger its destruction, by a blind and indiscriminate opposition, forbidden by every principle of common sense and patriotism. Let them with their utmost energy oppose all impolitic, injurious, or unjust measures—but let them yield a cordial and hearty support to every measure calculated to promote the public good. This is what constitutes a noble and dignified opposition party. Let them, if they choose, use all their efforts to regain the power they have lost, by fair and honourable means. Let them regard their brethren as labouring in the common cause to promote the public good, even when they believe them in error. Let them make allowance for human imperfection, from which they are no more exempt than their antagonists. By this course they will make more progress in one year than they have in thirteen by intemperate violence. This has recoiled on themselves.

If I have in this chapter, done a kindness to the federalists, I have performed an equal service to the democrats, by clearing up satisfactorily points of considerable importance to their character. I hope I have fully disproved the heinous charges adduced against them, of destroying the prosperity of their country—charges which have gained credence even across the Atlantic, from their frequent reiteration here.

CHAPTER LXXIII.

Miscellaneous facts and observations.

In this chapter I shall collect a number of unconnected facts and observations, which I have not been able to introduce elsewhere.

I.

A very moderate degree of knowledge of history or human affairs, furnishes numberless instances of the discordance between very plausible anticipations and the actual results on which they are predicated. I offer one. The best friends of this country were always distressed at the probable consequences of a war upon the southern states. It was calculated that such a state of things would afford a favourable opportunity, which would be eagerly embraced by the slaves, to rise upon their masters, and act over again the horrors of St. Domingo. It was not taken into consideration, that a state of war requiring martial preparations and arrangements, would greatly add to the facility of crushing insurrection, without in the least adding to the means of its organization. It was also anticipated that the hardy and enterprising people of Massachusetts would shew such a bold front towards an invading enemy, as to totally forbid, or at least compel him to abandon the attempt. The events have falsified both calculations. No insurrection was thought of by the slaves. Georgia, a feeble southern state, acquired a high degree of honour by the war. It covered Massachusetts with disgrace.

II.

The attempt to impress men from on board the Chesapeake, was not the first outrage perpetrated by the British on an American national ship. During the administration of Mr. Adams, several sailors were, in the West Indies, pressed from on board the Baltimore, a public vessel of the United States.

III.

Violent partizans have in all ages believed the monstrous doctrine, that the end sanctifies the means: a doctrine the fruitful parent of numberless crimes. This frequently leads parties to adopt measures at which each individual would have shuddered. Our country has witnessed various instances of this kind. Among the rest, unceasing efforts have been made by some of the most zealous and violent of the opposers of the administration, to persuade the public that the late war was a measure concerted between Bonaparte and our administration, and for which the former had paid the latter liberally. The following letter, which first appeared in the Boston Centinel, was one of the various means employed for this purpose. And had the British agents in Paris entered into the project, and afforded any countenance to the accusation, it would have gained universal credence among the enemies of the administration in this country, and might have produced alarming consequences. Very much to their credit and to our happiness, they allowed it to perish.

IMPORTANT LETTER.

"The original of the letter from an American gentleman in Paris, of which the following is an extract, has been seen by the editor, who vouches for its having been faithfully copied therefrom:—

"*Paris, May* 26, 1814.

"The treaty is nearly concluded, and we shall once more see all the world in peace, excepting our own country—thanks to the wisdom of the democrats and the partizans of Bonaparte! Since the war has been declared, he has not exercised one single act of amity or friendship, either toward the nation or any individual. It is very well known by every one here who has connexion with the government, *that it was by bribery that the vote for the war obtained.* A gentleman employed in the office of the department of foreign affairs, told me, that *he saw on the books the names of the senators bribed, and the sums paid each of them by Serrurier.* I hope in a short time to be able to procure a copy of it, to send to you. *The country was sold by Armstrong before he left Paris, and the war was decided upon; and in consequence he was made secretary of war, the better to accomplish the diabolical system.* I hope the events which have taken place in Europe will enlighten the American people, and shew them their true interest, and that they will have resolution and patriotism enough to dismiss from their councils men who have so basely betrayed their country and the confidence that was reposed in them by their fellow-citizens. This is the first step towards making an honourable and durable *peace*, which must be the desire of every true American."

This letter was re-copied, as a most important document, into a large portion of the federal papers.

IV.

French and English influence.

The United States have resounded with the charge of French influence, which I have incidentally touched upon in some of the preceding pages. Of its existence a large portion of our citizens are as thoroughly satisfied, as of any

of the demonstrations in Euclid. On the subject of British influence there is an almost total silence, although from sameness of language, mercantile intercourse, and the powerful effects in our cities of British capital and British agents, it is plain and palpable. On the 12th of January, 1814, governor Strong delivered an address to the legislature of Massachusetts, in which he laid considerable emphasis on a "proposal made by the French emperor that the congress at Prague should be composed of plenipotentiaries from France, the United States, Denmark, and the *other* allied princes on the one hand, and the plenipotentiaries of England, Prussia, and their allies on the other." From this proposal the worthy governor implied "a connexion with France in the war"—in other words, the hideous hydra of "French influence."

While he thus sagaciously discovered French influence, or French connexions, in a circumstance so utterly unimportant, is it not astonishing that he wholly overlooked the extent of *British influence* in Boston, the town wherein he wrote this address—and that he was as silent as the grave about the enormous supplies of specie at that very time furnished to the British nation, then at war with his native country—and about the open, undisguised intercourse carried on with the enemy, and the public sales of his government bills?

V.

Forgery of ships' papers.

In the enumeration of the grievances whereby the United States were driven to war with England, little has been said on the subject of the forgery of our naval papers, whereby our flag was discredited, the British commerce protected, and extended at our expence, and our vessels exposed to the indignation of the other belligerents, who must in numberless instances have found it impossible to discriminate between vessels fitted out in London with simulated documents, and vessels fitted out bona fide in the United States. It is impossible to find an upright man in the world, who will not loudly and unhesitatingly condemn such a practice.

Of the existence of this practice, no man doubts. But of the extent to which it was carried, I believe very few are aware. I submit a few documents which will throw light on the subject—and leave it then to the reader's reflections.

Mr. Brougham, member of parliament for Liverpool, in a speech on the subject of the orders in council, read the following circular from a house in Liverpool, established to carry on the manufacture of simulated papers.

"*Liverpool*, ———.

"Gentlemen—We take the liberty herewith to inform you, that we have established ourselves in this town for the purpose of making simulated papers, which we are enabled to do in a way which will give ample satisfaction to our employers, not only being in possession of the original documents of the ships' papers, and clearances to various ports, a list of which we annex; but our Mr. G——B—— having worked with his brother, Mr. J.——B——, in the same line, for the last two years, and understanding all the necessary languages.

"Of any changes that may occur in the different places on the continent, we are careful to have the earliest information, not only from our own connexions, but from Mr. J.——B——, who has proffered his assistance in every way, and who has for some time past made simulated papers for Messrs. B—— and P——. of this town, to whom we beg leave to refer you for further information. We remain, &c." Then follows a list of about twenty places, from and to which they can forge papers, having all the clearances ready by them, from the different public agents, the moment they receive intelligence that any merchant may need their assistance in this scheme of fabrication.*

From the London Morning Chronicle, June 12, 1812.

"To ship brokers, custom-house agents, notaries public, merchants, &c.—Simulated papers and seals, capital counting-house fixtures, 20 very excellent and expensive charts and maps, &c.—By Mr. SAMPSON, at his warehouse, 15 Size lane, Bucklersbury, on Thursday next, at 11, by direction of the assignees.

"The valuable fixtures and fittings up of the counting-houses, 34 boxes containing *simulated ships' papers and seals for foreign countries*, various coloured inks, foreign writing paper, &c. of Mr. Peter Vender A. A. merchant, a bankrupt, (removed from his offices, No. 9, Water lane, Tower-st.) comprising seven mahogany 1 flap and 2 flap counting house desks, book case, two capital library and writing tables, with drawers, stamping and sealing presses, a patent instantaneous light machine, an excellent mahogany portable writing desk with secret drawers, two patent polygraphs, several capital charts, amongst which are the Northern Sea, the Cattegat, the Azores, the Atlantic Ocean, the Baltic Pilot, West Indies, British Channel, coasts of England and Holland, Mediterranean, Europe, Asia, and America; Mercator's World; Laurie and Whittle's new map of the British isles, on spring rollers and boxes; Carey's universal Atlas; a new ledger, journal and waste book, five vols. of the beauties of England and Wales, and 95 numbers of do. six morocco leather cases, &c. To be viewed two days preceding the sale, at the broker's warehouses; catalogues may be had of Messrs. Sweet and Stokes, solicitors, Basinghall street, and of Mr. Sampson, 15, Size lane, Bucklersbury."

Extract from the speech of Mr. Spooner, at a meeting in Birmingham, March 31, 1812.

"The evil that presses stronger upon my mind, as respects the license system, is the great degradation it produces in the national character. It is lamentable, that a nation, hitherto standing high in moral estimation, anxious

* In noticing this matter in the house of commons, Mr. Stephens, author of "War in Disguise," said, "he would ask gentlemen *sincerely*, were they prepared to abandon all trade to the continent of Europe on account of those objections *in point of morality* which had been stated by the honourable mover? [Mr. Brougham.] He felt himself perfectly ready to meet any gentleman upon this ground; and he really believed he would find few who had *weakness* enough to think, or *hypocrisy* enough to assert, that the whole trade of Europe ought to be abandoned on account of the immorality of FRAUDS *necessarily* practised in the carrying it on. As to the *forging* papers and French consuls' certificates of origin, he was convinced that neither this, nor shewing *false colours* to the enemy, would be supposed so serious an immorality as to make us consent to abandon all our trade."

to promote true knowledge, zealous to spread the principles of pure religion, should thus lay itself open to the imputation of forcing a trade by fraud and perjury, and that, too, under the sanction of government. It must seriously afflict every one zealous for the true honour and real interests of his country, that it has been admitted in the court of admiralty, that under present circumstances it was necessary to wink at simulated papers!!! In carrying on this trade, the captain of the vessel must be furnished with two sets of papers diametrically opposite to each other, both of which he must swear to be true. He must also swear at one place that the property is British, in another that it is neutral!"

In Liverpool, in the fall of 1811, the price of forged papers was as follows:

	l.	*s.*	*d.*
American Register,	8	8	0
Sea Letter,	2	2	0
Clearance,	2	2	0
Bills of Lading, with notary's certificate of property, 3 sets,	3	3	0

I shall close the subject with the following judicious and liberal remarks from a London paper upon, and just reprobation of, this vile system, which goes the full length of demoralizing the mass of the persons engaged in commerce in any nation where it is countenanced.

From a London paper.

"When we hear the accusation of treacherous neutrals daily made against the American nation, we ought at least to inquire whether it is just before we give it any credence. If, however, we assist her in obtaining this character, and reap the advantages of the prostitution of her flag, we ought to be silent. ☞ It is an undoubted fact, and well known to all concerned in the Baltic trade, that most of the English ships which have gone to the north of Europe for two years past, have assumed the American flag, and taken simulated papers, by which they have been permitted to an entry. The general prevalence of this practice produced a seizure of all the ships under American colours, so that, in many instances, the neutral American merchants suffered. It was a subject of remonstrance by Russia, Denmark, and Sweden, to the American consuls there, that their neutral flag was thus unfairly assumed by one of the belligerents. In these instances, therefore, we have no right to charge the Americans with bad faith, as the adventures were commenced and concluded by English merchants in England."

VI.

Upstart pride.

Among the blots and blemishes of this country, "*upstart pride*" ranks very high, and produces most ruinous consequences.

A man comes to the United States as a redemptioner. By his labour for three or four years in a state of servitude, he defrays the expense of his passage. He afterwards by "saving cheese-parings and ends of candles," and stinting himself of necessaries, makes a little money. He marries a wife, a personage equally exalted with himself. They rake and scrape together a few thousand dollars, and their ideas expand with their enormous wealth. They have four, five,

or six sons. And it would be too degrading to stoop to make any of them a tradesman or mechanic. No. They must be all *march-ants*—or doctors—or *lawyers*. Hence we are overrun with broken merchants, and hungry doctors and lawyers, and hence arises a most serious and alarming evil, the removal of which demands the efforts of all the friends of their country. There are, alas! thousands of estimable men scattered through the United States, whose talents and fortunes would have qualified them for useful members of society as farmers, artists or mechanics—but who are actually thrown away to themselves and the public by being devoted to the mercantile, or legal, or medical profession.

The mercantile profession being extravagantly crowded, the competition in our markets for the productions of the country for exportation, enhances the price here. And the great competition of sellers in the foreign markets sinks the price there. Therefore the operation of this pernicious prejudice, whereby one class of our citizens is overstocked, is two-fold—its injurious effects are felt at home and abroad. To this source, in a great measure, may be ascribed the extravagant proportion of bankruptcies that have taken place among the merchants in this country, for many years. The great number of sea-ports in the United States, wherein foreign commerce is carried on, creates such a competition in the markets abroad, as must at all times subject American commerce to considerable disadvantage. It is therefore the height of madness to extend or increase the difficulty under which our commerce must thus constantly and inevitably labour.

VII.

Manufactures.

Many of our citizens have been led into egregious errors on the vital subject of the promotion and encouragement of domestic manufactures, by an outcry which has been raised against the manufacturers, that in all cases wherein legal protection is afforded them, they take an unjust and ungenerous advantage of the public, and enormously enhance the price of their goods, whereby their fellow-citizens are unjustly laid under heavy contribution. And therefore many of our members of congress sagaciously determine to let this useful class of men, who do more to establish the true independence of their country, than any other class, struggle against the multifarious disadvantages which our infant manufactures labour under, in a competition with the matured and long established manufactures of Europe.

It is not easy to conceive of any more miserable error than this, or that comes with a worse grace from those

who propagate it. Who are they? Merchants, agriculturists, house owners, money lenders, &c. &c.

Let us examine each of these classes separately. I begin with the merchant. When he imports a cargo of any kind whatever, does he regulate the price by the cost?—does he display the disinterestedness and self-denial which he so eloquently preaches up to the manufacturer? Suppose he brings into the market an article whose cost is one dollar, but which, from its scarcity and demand, will sell for fifty. Does he hesitate to demand and insist on fifty? Not an instant. And he would have no scruple to demand one hundred, or one thousand, if the market would warrant it. Let the merchant, then, never rail against the extortion of the manufacturer. Let him impose an eternal silence on his tongue, on this topic, so pregnant with materials for his own condemnation.

Next in order comes the agriculturist. And as a large portion of the members of our legislative bodies is composed of gentlemen of this class, the appeal has been strongly and too successfully made to their passions and prejudices. And they freely re-echo the cry begun by the merchants against the predatory spirit of the manufacturers. They forget the strong parable of the mote and the beam. Suppose a farmer to bring 1000 barrels of flour to a city in a state of famine. Where are then his bowels of compassion? Where his tenderness for his suffering fellow men? Where his abhorrence of extortion and depredation? Will he sell his flour for the customary price? No. No. No. He takes the guage and measure of the general distress. And in proportion to the degree of misery, and suffering, and starvation that prevails, he fixes his price.

The owner of houses and lands comes next in turn. And he is in the same predicament with the merchant and agriculturist. He uniformly regulates the rent of his houses and lands by the demand, not by the cost. I have paid for the use of a house for three months, during the prevalence of yellow fever, at least as much rent as would have been required for a year. A very small, narrow house in Market street, Philadelphia, which could not have cost two thousand dollars, rents for one thousand dollars per annum.

On the subject of the generosity of the money lender, it is needless to descant. His tenderness, and mercy, and benevolence, have so long been the subject of celebration and panegyric by moral and dramatic writers, and by sermonists, that they cannot have escaped the observation of the most superficial.

If therefore the manufacturers did really increase their profits with the increase of demand, it would not be a just subject of complaint, with any of the other classes of society, who exactly pursue this plan themselves. But it does not follow, that a rise in the price of a manufactured article produces an increase of the profits of the manufacturer. By no means. Three items regulate the price of manufactures—the cost of the material—the price of labour—and the profit of the manufacturer. Now, it is too obvious to require enforcement, that an increase of demand always increases the price of the first—and very frequently of the second. Let us then suppose, that of a yard of broadcloth, which sells for six dollars, the raw material costs two—the labour two—and that the manufacturer has a profit of the other two. If the demand by any means be greatly increased, the price of the wool may rise half a dollar—and of the labour as much more. Thus the article may be sold at seven dollars—and the manufacturer not make more per yard—and less per cent. than when he sold at six dollars. This is a random case—but sufficient to elucidate the point.

Against extortion, on the part of manufacturers, the public have two good safeguards. One is, the competition among themselves, which is at all times sufficient to prevent imposition to any very material extent. The other is, the danger of encouraging the European articles, which are always ready to be poured into the country in extravagant quantities.

VIII.

Excise.

The most odious and oppressive form in which public contributions can be levied, is, excise. However free the constitution or laws of a country may generally be, those citizens or subjects on whom an excise system operates, are, so far as respects the support of government, in a state of as much oppression as the subjects of the veriest despotism in Europe. Their houses are liable to domiciliary visits—the whole of their business open to the inspection of tax-gatherers—they are subject to the necessity of keeping their accounts according to rules and orders, with which it is almost impossible for many of them to comply—and in many cases they are liable to pains and penalties for perjury, when their intentions are perfectly fair and honourable. And so far as respects property, despotism does not, I believe, exhibit itself under a more frightful aspect than this, in any part of Europe.

That there are cases, nevertheless, in which it is perfectly right and proper for government to impose excises, and

in which it is the duty of the citizens to submit to them cheerfully, I am satisfied. And that the situation of this country, during the last session of congress, when the excise system was adopted, was such as loudly called for and justified it, is, I think, equally clear. The people should have borne a tax on births or funerals, on the light of heaven, or the air they breathe, rather than submit to an invading enemy. And I think it was creditable to the nation, that congress relied so far on its patriotism as to risk their popularity on a system so obnoxious, which nothing but dire necessity could justify.

But when peace was restored—when the merest sciolist in political economy must be perfectly satisfied, that the impost would be amply adequate to meet all possible demands of the government—it was a most unpardonable sin of the democratic majority not to repeal this most odious of all the odious forms of taxation. To continue the domiciliary visits of excisemen—and all the revolting detail of this system, when there was so obviously no necessity for it, and when it could be done away without any possible disadvantage, was a gross dereliction of duty on the part of the thirteenth congress—a disregard of the feelings and just claims of a large portion of their fellow-citizens, that cannot fail to ensure them the most unqualified censure of their constituents. And there is no doubt that they had political sins enough to answer for, without this addition to the catalogue.

IX.

French Decrees—English Orders in Council.

I have already several times incidentally touched on these measures in the course of this work. But I cannot resist the temptation once more to raise my feeble voice against them in a few concluding observations.

The whole history of the world may be ransacked in vain to find any parallel to these barefaced violations of the law of nations. They alone would be sufficient to stamp the era through which we have passed with disgrace and dishonour.

Two great nations—or rather the governments of two great nations—strain every nerve for mutual destruction. For the attainment of this object, there is a most wanton and prodigal sacrifice made of human life and human happiness. Yet in the midst of this frightful devastation, they most perfectly accord on one point, which is, to depredate on the property of unoffending and unprotected neutrals—or, in terms of the Boston merchants—"TO PREY"—yes, it

to "*to prey upon the unprotected property of a friendly power.*"

This, as I have already stated three or four times, is the language of the merchants of Boston, signed by their committee, James Lloyd, George Cabot, David Green, Arnold Welles, John Coffin Jones, and T. H. Perkins. If it be offensive, let these gentlemen answer for it.

What is the meaning of "*to prey?*" Dr. Johnson, who is indisputable lexicographical authority—tells the world—that—"to prey," is neither more nor less, than "*to plunder—to rob.*"

Thus it appears that the whole body of merchants of the town of Boston, in 1806, publicly accused the British government of "*plundering and robbing*" "the unprotected property of a friendly power." And that the "decrees" were of an equally "*preying*" character, will not be disputed.

And what was the palliation of this *preying* system? France constantly and earnestly protested, that England had begun the trade of "*preying,*" and that she had only followed her example. England with equal vehemence answered that the "*preying*" had begun on the other side of the channel. And on this miserable, contemptible pretence, they "*preyed*" upon American property between them, to the amount probably of thirty millions of dollars. In a word, it appears that both parties thought us unable to protect ourselves, and therefore that our commerce was lawful "*prey,*" to avail myself once more of the phraseology of Mr. Lloyd and his friends.

It might be thought impossible to add a shade to this odious system. But this is an error. The last stroke of the pencil is wanted. While each of these nations "*preyed*" upon the lawful commerce of the United States with her enemy, they carried on in the midst of a raging and devouring war, a traffic with each other, erected on the basis of fraud and perjury, a considerable portion of the materials of which traffic arose from the American property "*preyed*" upon by their cruisers!!!!!

The New York merchants prefer an accusation against the orders in council, full as strong in substance—but not quite so plain in style as their Boston brethren. They state that "*having totally suppressed the external commerce of her enemies, Great Britain is counselled to* APPROPRIATE *to herself that of her friends.*" The term "*appropriate*" is more Chesterfieldian than "*prey.*" But it is, after all, the same dish, a little more nicely garnished. The privateersman who "*preyed*" upon the "*unprotected property of a*

friendly power" merely "*appropriated*" that property to himself.

That in the whole world a single man, who did not profit by this system, should be found to justify, or palliate it, is amazing beyond expression. But that American merchants, whose vital interests and whose country's dearest rights it cut up root and branch, should have taken this ground, as we know they have done, will to our posterity appear as fabulous and as romantic as the celebrated history of Don Bellianis of Greece—the renowned history of Parismus, Parismenos, and Parismenides—or the delectable tales of Aladdin's wonderful lamp, and Sinbad the Sailor.

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It will be asked, why discuss this subject now? what purpose can it answer but to anger and to irritate—to prevent the wounds received and given from cicatrizing? Ought not these topics to be buried in eternal oblivion? Can this be a proper time for such enquiries? I answer, this is the time—the only time. What purpose would the discussion answer during the violence and turbulence of war? A period of peace is precisely the time to investigate the question, all important to the United States, whether the rights of neutral nations are to be held by the tenure of the forbearance, the moderation, the justice and generosity of belligerents—a tenure, of the precariousness of which we have seen so many admonitory examples—or whether the rights, the sovereignty, the trade, the commerce of neutral nations shall be treated by belligerents with the respect to which they are entitled. This is a glorious theme for enlightened men on both sides of the Atlantic—worthy of a Milton, a Grotius, a Puffendorff, a Henry, a Dickinson, or a Franklin.

THE END.

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